CONSTANTINOPLE RÉELLE ET IMAGINAIRE

autour de l'œuvre de Gilbert Dagron

ORIENT ET MÉDITERRANÉE (UMR 8167) / MONDE BYZANTIN
COLLÈGE DE FRANCE / INSTITUT D'ÉTUDES BYZANTINES

TRAVAUX ET MÉMOIRES

– publication annuelle paraissant en un ou deux fascicules –

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ISBN 978-2-916716-65-7
ISSN 0577-1471

COLLÈGE DE FRANCE – CNRS
CENTRE DE RECHERCHE D'HISTOIRE
ET CIVILISATION DE BYZANCE

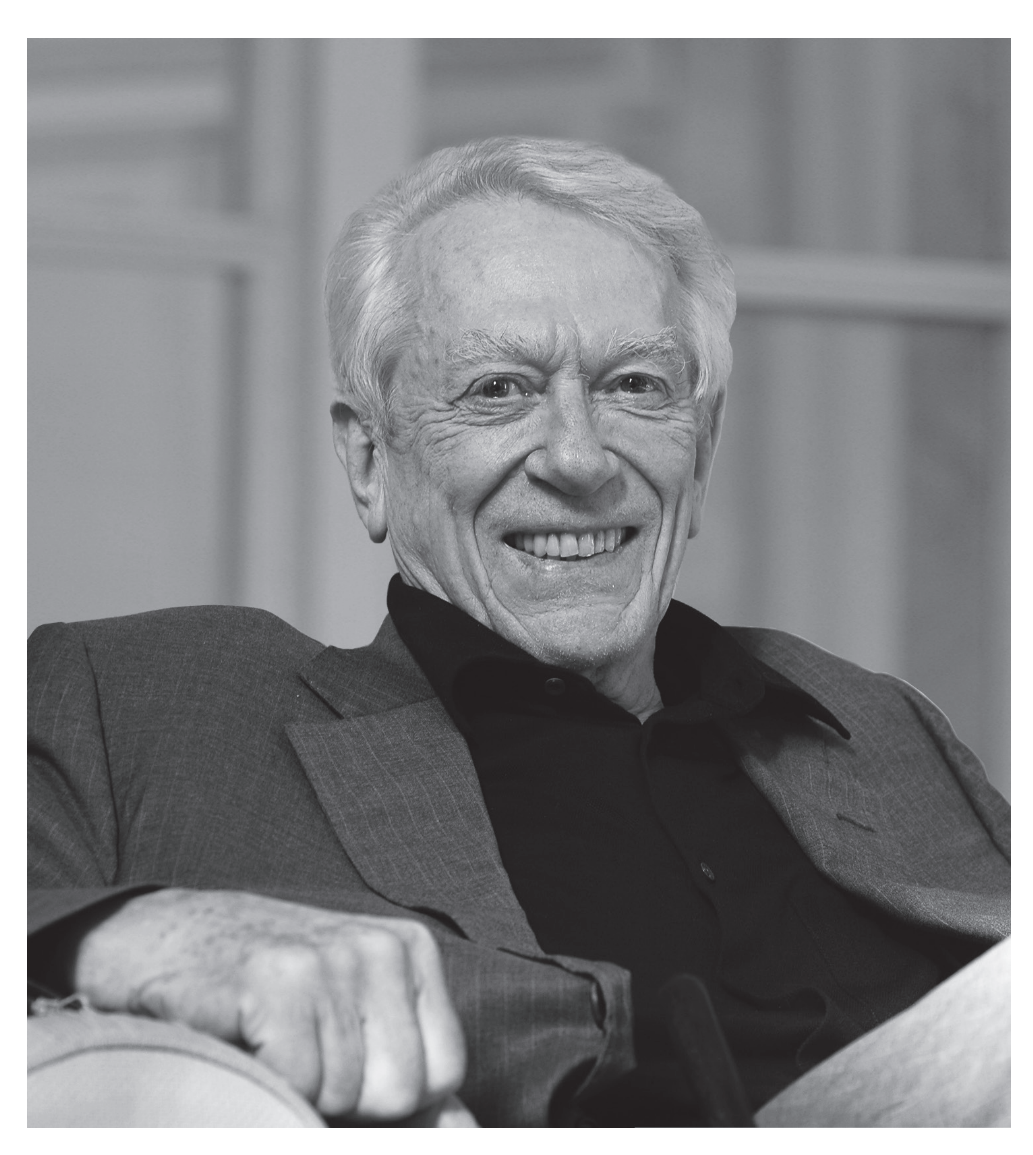
TRAVAUX ET MÉMOIRES
22/1

CONSTANTINOPLE RÉELLE ET IMAGINAIRE

AUTOUR DE L'ŒUVRE DE GILBERT DAGRON

Ouvrage publié avec le concours
du Collège de France

Association des Amis du Centre d'Histoire et Civilisation de Byzance
52, rue du Cardinal-Lemoine – 75005 Paris
2018



Gilbert Dagron, Paris, 4 mars 2007, © C. Hélie

ABRÉVIATIONS

AASS — *Acta sanctorum quotquot toto orbe coluntur, vel a catholicis scriptoribus celebrantur quae ex latinis et graecis, aliarumque gentium antiquis monumentis*, collegit, digessit, notis illustrauit J. Bollandus, operam et studium contulit G. Henschenius, Antuerpiae – Bruxellis 1643-1940.

ACO — *Acta conciliorum oecumenicorum*, ed. instituit E. Schwartz, continuavit J. Straub, Berlin 1914-1940.

ACO, ser. sec. — *Acta conciliorum oecumenicorum. Series secunda*, Berlin 1984-.

Agathias — *Agathiae Myrinaei historiarum libri quinque*, rec. R. Keydell (CFHB 2), Berolini 1967.

Agathias, *Histoires : guerres et malheurs du temps sous Justinien*, introd., trad. et notes par P. Maraval, Paris 2007.

AE — *L'année épigraphique*. Paris.

AJA — *American journal of archaeology*. Boston Mass.

AnBoll — *Analecta Bollandiana*. Bruxelles.

Annae Comnenae Alexias — *Annae Comnenae Alexias*, rec. D. R. Reinsch et A. Kambylis (CFHB 40), Berolini 2001.

Anne Comnène, *Alexiade* — Anne Comnène, *Alexiade, règne de l'empereur Alexis I Comnène (1081-1118)*, texte établi et trad. par B. Leib (Collection byzantine), 4 vol., Paris 1937-1976.

AnTard — *Antiquité tardive*. Turnhout.

AOC — Archives de l'Orient chrétien. Paris.

Basilica — *Basilicorum libri LX. Series A, Textus, vol. 1-8 ; Series B, Scholia, vol. 1-9*, ed. H. J. Scheltema et N. Van der Wal, Groningen 1953-1988.

BCH — *Bulletin de correspondance hellénique*. Paris.

Constantinople réelle et imaginaire : autour de l'œuvre de Gilbert Dagron
(Travaux et mémoires 22/1), Paris 2018, p. XI-XXII.

Berger, *Patria* A. Berger, *Untersuchungen zu den* Patria Konstantinupoleos (Ποικίλα Βυζαντινά 8), Bonn 1988.

BGU *Aegyptische Urkunden aus den Königlichen (Staatlichen) Museen zu Berlin, Griechische Urkunden.* Berlin.

BHG, *BHG*[3] *Bibliotheca hagiographica Graeca*, 3e éd. mise à jour et considérablement augmentée, Bruxelles 1957.

BIFAO *Bulletin de l'Institut français d'archéologie orientale*. Le Caire.

BMGS *Byzantine and modern Greek studies*. Leeds.

Bryennios, *Histoire* Nicéphore Bryennios, *Histoire* = *Nicephori Bryennii historiarum libri quattuor*, introd., texte, trad. et notes par P. Gautier (CFHB 9), Bruxelles 1975.

BSl. *Byzantinoslavica : revue internationale des études byzantines.* Praha.

Bull. ép. Bulletin épigraphique de la *Revue des études grecques.*

Byz. *Byzantion : revue internationale des études byzantines*. Wetteren.

Byzantine Constantinople *Byzantine Constantinople : monuments, topography and everyday life*, ed. by N. Necipoğlu (Medieval Mediterranean 33), Leyde – Boston – Köln 2001.

Byz. Forsch. *Byzantinische Forschungen : internationale Zeitschrift für Byzantinistik*. Amsterdam.

BZ *Byzantinische Zeitschrift.* Berlin.

CArch *Cahiers archéologiques.* Paris.

CCSG Corpus christianorum. Series Graeca. Turnhout.

Cedrenus ed. Bekker : *Georgius Cedrenus Ioannis Scylitzae ope*, ab I. Bekkero suppletus et emendatus (CSHB 4), Bonnae 1838-1839.

ed. Tartaglia : *Georgii Cedreni Historiarum compendium*, ed. critica a cura di L. Tartaglia (Bollettino dei classici. Supplemento 30), Roma 2016.

CEFR Collection de l'École française de Rome. Rome.

CFHB Corpus fontium historiae Byzantinae.

Chilandar 1 *Actes de Chilandar. 1, Des origines à 1319*, éd. diplomatique par M. Živojinović, V. Kravari, C. Giros (Archives de l'Athos 20), Paris 1995.

Chron. Paschale *Chronicon Paschale*, rec. L. Dindorfius, Bonnae 1832.

Chronicon Paschale 284-628 AD, transl. with notes and introd. by M. Whitby & M. Whitby (Translated texts for historians 7), Liverpool 1989.

CIL *Corpus inscriptionum Latinarum*. Berlin 1963-.

CJ *Corpus iuris ciuilis. 2, Codex Iustinianus*, rec. P. Krüger, Berlin 1877.

Const. VII, *Three treatises* : Constantine Porphyrogenitus, *Three treatises on imperial military expeditions*, introd., ed., transl. and commentary by J. F. Haldon (CFHB 28), Wien 1990.

CPG *Clavis patrum Graecorum.* Turnhout 1974-2003.

CRAI *Comptes rendus. Académie des Inscriptions et Belles-Lettres*. Paris.

CSCO Corpus scriptorum christianorum Orientalium. Louvain.

CSEL Corpus scriptorum ecclesiasticorum Latinorum. Vindobonae 1866-.

CSHB Corpus scriptorum historiae Byzantinae. Bonn.

CTh *Codex Theodosianus.*

CUF Collection des universités de France. Paris.

DACL *Dictionnaire d'archéologie chrétienne et de liturgie*, publié par dom F. Cabrol et dom H. Leclercq, Paris 1924-1953.

Dagron, *Constantinople imaginaire* G. Dagron, *Constantinople imaginaire : études sur le recueil des* Patria (Bibliothèque byzantine. Études 8), Paris 1984.

Dagron, *Empereur et prêtre/Emperor and priest* G. Dagron, *Empereur et prêtre : étude sur le « césaropapisme » byzantin* (Bibliothèque des histoires), Paris 1996. Trad. angl. : *Emperor and priest : the imperial office in Byzantium*, transl. by J. Birrell, Cambridge 2003.

Dagron, *L'Hippodrome* G. Dagron, *L'Hippodrome de Constantinople : jeux, peuple et politique*, Paris 2011.

Dagron, *Idées byzantines* G. Dagron, *Idées byzantines* (Bilans de recherche 8), Paris 2012, 2 vol.

Dagron, *Naissance d'une capitale* G. Dagron, *Naissance d'une capitale : Constantinople et ses institutions de 330 à 451* (Bibliothèque byzantine 7), Paris 1974, 2e éd. 1984.

DAI Constantine Porphyrogenitus, *De administrando imperio*, Greek text ed. by Gy. Moravcsik ; English transl. by R. J. H. Jenkins (CFHB 1), Washington DC 1967[2] ; *2, Commentary*, ed. by R. J. H. Jenkins, London 1962.

DChAE *Δελτίον τῆς Χριστιανικῆς ἀρχαιολογικῆς ἑταιρείας.* Athènes.

De cer. ed. Reiske *Constantini Porphyrogeniti imperatoris De cerimoniis aulae Byzantinae libri duo*, e rec. J. J. Reiskii (CSHB), Bonnae 1829-1830.

ed. Vogt Constantin VII Porphyrogénète, *Le Livre des cérémonies. 1, Texte. 1, Livre I, chapitres 1-46 (37) ; 2, Livre I, chapitres 47 (38)-92 (83)*, établi et trad. par A. Vogt, Paris 1935-1939 (2e tirage, Paris 1967).

trad. Moffatt & Tall Constantine Porphyrogennetos, *The Book of ceremonies in two volumes*, transl. by A. Moffatt & M. Tall, with the Greek edition of the Corpus Scriptorum Historiae Byzantinae (Bonn, 1829) (Byzantina Australiensia 18), Canberra 2012.

Diegesis *Διήγησις περὶ τῆς οἰκοδομῆς τῆς μεγάλης ἐκκλησίας τῆς ἐπονομαζομενης ἁγίας Σοφίας*, dans *Scriptores originum Constantinopolitanarum. 1*, rec. Th. Preger (Teubner), Lipsiae 1901, p. 74-108.

Dig. *Corpus iuris ciuilis. 1, Digesta*, rec. Th. Mommsen, retractavit P. Krüger, Berolini 1908.

DOC 4, 1 et 2 M. Hendy, *Catalogue of the Byzantine coins in the Dumbarton Oaks collection and in the Whittemore collection. 4, Alexius I to Michael VIII, 1081-1261. 1, Alexius I to Alexius V (1081-1204) ; 2, The emperors of Nicaea and their contemporaries (1204-1261)*, Washington DC 1999.

DOP *Dumbarton Oaks papers.* Washington.

DOS Dumbarton Oaks studies. Cambridge Mass.

DOSeals 1-6 *Catalogue of Byzantine seals at Dumbarton Oaks and in the Fogg Museum of Art. 1, Italy, North of the Balkans, North of the Black Sea*, ed. by J. Nesbitt and N. Oikonomides, Washington DC 1991 ; *2, South of the Balkans, the Islands, South of Asia Minor*, ed. by J. Nesbitt and N. Oikonomides, Washington DC 1994 ; *3, West, Northwest, and Central Asia Minor and the Orient,* ed. by J. Nesbitt and N. Oikonomides, Washington DC 1996 ; *4, The East*, ed. by E. McGeer, J. Nesbitt and N. Oikonomides, Washington DC 2001.

Edicta *Corpus iuris ciuilis. 3, Nouellae*, rec. R. Schoell, absolvit G. Kroll, Berolini 1895 (repr. Hildesheim 1993, 2005), p. 759-795.

EEBS *Ἐπετηρὶς Ἑταιρείας Βυζαντινῶν σπουδῶν*. Ἀθήνα.

EHB *The economic history of Byzantium : from the seventh through the fifteenth century*, A. E. Laiou, ed.-in-chief (DOS 39), Washington DC 2002.

EI *Encyclopédie de l'Islam*, Leiden – Paris 1913-1938.

ÉO *Échos d'Orient : revue d'histoire, de géographie et de liturgie orientales.* Bucarest.

ΕΦΣ *Ἑλληνικὸς Φιλολογικὸς Σύλλογος Κωνσταντινουπόλεως.*

FM 1-12 *Fontes minores*, hrsg. von D. Simon (Forschungen zur byzantinischen Rechtsgeschichte), Frankfurt am Main 1976-.

GCS Die griechischen christlichen Schriftsteller. Leipzig – Berlin.

Georg. Mon. *Georgii Monachi Chronicon*, ed. C. de Boor, corr. P. Wirth, Stutgardiae 1978.

GRBS *Greek, Roman and Byzantine studies.* Durham.

Hesychios, *Patria* *Πάτρια Κωνσταντινουπόλεως κατά Ἡσύχιον Ἰλλούστριον*, dans *Scriptores originum Constantinopolitanarum. 1*, rec. Th. Preger (Teubner), Lipsiae 1901, p. 1-18.

Hippodrom/Atmeydanı *Hippodrom/Atmeydanı : a stage for Istanbul's history*, ed. by B. Pitarakis, Istanbul 2010.

IGLS *Inscriptions grecques et latines de la Syrie*, Beyrouth – Paris 1929-.

ILS *Inscriptiones latinae selectae*, ed. H. Dessau, Berolini 1892-1916.

IRAIK *Известия Русского археологического института в Константинополе*. Одесса, София.

IstMitt *Istanbuler Mitteilungen*. Istanbul – Tübingen.

Iviron 1, 2, 4 *Actes d'Iviron. 1, Des origines au milieu du* XI[e] *siècle*, éd. diplomatique par J. Lefort, N. Oikonomidès, D. Papachryssanthou, avec la collab. de H. Métrévéli (Archives de l'Athos 14), Paris 1985.

Actes d'Iviron. 2, Du milieu du XII[e] *siècle à 1204*, éd. diplomatique par J. Lefort, N. Oikonomidès, D. Papachryssanthou, avec la collab. de V. Kravari et de H. Métrévéli (Archives de l'Athos 16), Paris 1990.

Actes d'Iviron. 4, De 1328 au début du XVI[e] *siècle*, éd. diplomatique par J. Lefort, N. Oikonomidès, D. Papachryssanthou, V. Kravari, avec la collab. de H. Métrévéli (Archives de l'Athos 19), Paris 1995.

Janin, *Constantinople byzantine* R. Janin, *Constantinople byzantine : développement urbain et répertoire topographique* (AOC 4A), 2[e] éd., Paris 1964.

Janin, *Géographie* 1, 3 R. Janin, *La géographie ecclésiastique de l'Empire byzantin. 1, Le siège de Constantinople et le patriarcat œcuménique. 3, Les églises et les monastères*, Paris 1953, 1969[2].

Géographie 2 R. Janin, *La géographie ecclésiastique de l'Empire byzantin. 2, Les églises et les monastères des grands centres byzantins : Bithynie, Hellespont, Latros, Galèsios, Trébizonde, Athènes, Thessalonique*, Paris 1975.

Jean le Lydien, *Des magistratures de l'État romain*, texte établi, trad. et commenté par M. Dubuisson & J. Schamp (CUF), Paris 2006.

Johannes Lydus, *On powers or the magistracies of the Roman state*, introd., crit. text, transl., commentary, and indices by A. C. Bandy, Philadelphia 1983.

Ioannis Lydi De magistratibus populi Romani libri tres, ed. R. Wünsch (Teubner), Lipsiae 1903.

JGR *Jus Graecoromanum*, cur. J. et P. Zepos, Athenis 1931, réimpr. Aalen 1962.

JHS *The journal of Hellenic studies.* London.

JÖB *Jahrbuch der österreichischen Byzantinistik.* Wien.

JÖBG *Jahrbuch der österreichischen byzantinischen Gesellschaft*. Wien.

Jordanov, *Corpus* 1, 2, 3 I. Jordanov, *Corpus of Byzantine seals from Bulgaria. 1, Byzantine seals with geographical names*, Sofia 2003 ; *2, Byzantine seals with family names*, Sofia 2006 ; *3*, Sofia 2009.

JRA *Journal of Roman archaeology*. Portsmouth RI.

JRS *The journal of Roman studies.* London.

Lampe *Greek patristic lexicon*, ed. by G. W. H. Lampe, Oxford 1961.

Lavra 1, 3 *Actes de Lavra. 1, Des origines à 1204*, éd. diplomatique par P. Lemerle, A. Guillou, N. Svoronos, avec la collab. de D. Papachryssanthou (Archives de l'Athos 5), Paris 1970.

Actes de Lavra. 3, De 1329 à 1500, éd. diplomatique par P. Lemerle, A. Guillou, N. Svoronos, D. Papachryssanthou (Archives de l'Athos 10), Paris 1979.

Leo Diaconus *Leonis Diaconi caloensis Historiae libri decem ; Liber de velitatione bellica Nicephori Augusti*, e rec. C. B. Hasii ; accedunt *Theodosii acroases de Creta capta*, e rec. F. Jacobsii et *Luitprandi legatio cum aliis libellis qui Nicephori Phocae et Joannis Tzimiscius Historiam illustrant* (CSHB 11), Bonnae 1828.

Léon le Diacre, *Empereurs du* x*e* *siècle*, présentation, trad. et notes par R. Bondoux et J.-P. Grélois (MTM 40), Paris 2014.

Libanii Opera. 1-12, rec. R. Foerster, Lipsiae 1903-1923.

LP *Le Liber pontificalis*, texte, introd. et commentaire par L. Duchesne, 2 vol., Paris 1886 et 1892 ; III avec additions et corrections de L. Duchesne, C. Vogel éd., Paris 1955-1957.

LSJ (& *Rev. suppl.*) *A Greek-English lexicon with a revised supplement*, comp. by H. G. Liddell & R. Scott, rev. and augm. throughout by H. S. Jones, Oxford 1996.

Magdalino, *Constantinople médiévale* P. Magdalino, *Constantinople médiévale : étude sur l'évolution des structures urbaines* (MTM 9), Paris 1996.

Malalas *Ioannis Malalae Chronographia*, rec. I. Thurn (CFHB 35), Berolini 2000.

The Chronicle of John Malalas, a transl. by E. Jeffreys, M. Jeffreys & R. Scott (Byzantina Australiensia 4), Melbourne 1986.

MAMA Monumenta Asiae Minoris antiqua. 1928-.

Mango, *Brazen House* C. Mango, *The Brazen House : a study of the vestibule of the imperial palace of Constantinople* (Arkaeologisk-kunsthistoriske meddelelser 4, 4), København 1959.

Mango, *Développement urbain* C. Mango, *Le développement urbain de Constantinople (*iv*e*-vii*e* *siècles)* (MTM 2), Paris 1985, réimpr. avec addenda en 1990 et 2004.

Mansi *Sacrorum conciliorum nova et amplissima collectio*, J. D. Mansi evulgavit, Florentiae – Venetiis 1759-1798 [réimpr. Paris 1901 et Graz 1960].

MEFR *Mélanges de l'École française de Rome.* Rome.

MEFRM *Mélanges de l'École française de Rome. Moyen Âge*. Rome – Paris.

MGH Monumenta Germaniae historica. Berlin. AA : Auctores antiquissimi. Ep. : Epistolae. SS : Scriptores. SS rer. Germ. : Scriptores rerum Germanicarum.

Michael Attaleiates, *The history*, transl. by A. Kaldellis and D. Krallis (Dumbarton Oaks medieval library 16), Cambridge – London 2012.

Michel Psellos, *Chronographie* Michel Psellos, *Chronographie ou Histoire d'un siècle de Byzance : (976-1077)*, texte établi et trad. par É. Renauld (Les Belles Lettres. Collection byzantine), Paris 1926-1928.

Michaelis Pselli Chronographia *Michaelis Pselli Chronographia*, hrsg. von D. R. Reinsch (Millennium Studien 51), Berlin – Boston 2014.

Michel le Syrien *Chronique de Michel le Syrien, patriarche jacobite d'Antioche (1166-1199)*, éd. et trad. par J.-B. Chabot, *1, Traduction livres I-VII ; 2, Traduction livres VIII-XI ; 3, Traduction livres XII-XXI ; 4, Texte syriaque*, Paris 1899–1924 (réimpr. Bruxelles 1963).

MTM Monographies de *Travaux & mémoires*. Paris.

Müller-Wiener, *Bildlexikon* W. Müller-Wiener, *Bildlexikon zur Topographie Istanbuls : Byzantion-Konstantinupolis-Istanbul bis zum Beginn des 17. Jahrhunderts*, Tübingen 1977.

Niceph., *Breviarium* = *Ἱστορία σύντομος* Nikephoros, patriarch of Constantinople, *Short history*, text, transl. and commentary by C. Mango (CFHB 13), Washington DC 1990.

Nicetæ Choniatæ Historia, rec. I. A. van Dieten (CFHB 11), Berolini – Novi Eboraci 1975.

Notitia urbis Constantinopolitanae *Notitia dignitatum, accedunt Notitia urbis Constantinopolitanae et laterculi prouinciarum*, ed. O. Seeck, Berolini 1876.

Nov. *Corpus iuris ciuilis. 3, Nouellae*, rec. R. Schoell, absolvit G. Kroll, Berolini 1895 (repr. Hildesheim 1993, 2005). p. 759-795

OCA Orientalia Christiana analecta. Roma.

OCP *Orientalia Christiana periodica : commentarii de re orientali aetatis christianae sacra et profana.* Roma.

ODB *Oxford dictionary of Byzantium*, A. P. Kazhdan ed. in chief, New York 1991.

Oikonomidès, *Listes* N. Oikonomidès, *Les listes de préséance byzantines des* IXe *et* Xe *siècles : introduction, texte, traduction et commentaire* (Le monde byzantin 4), Paris 1972.

Origines Constantinopolitanae *Scriptores originum Constantinopolitanarum*, rec. Th. Preger (Teubner), Lipsiae 1901-1907.

Pantéléèmôn *Actes de Saint-Pantéléèmôn*, éd. diplomatique par P. Lemerle, G. Dagron, S. Ćircović (Archives de l'Athos 12), Paris 1982.

Parastaseis *Παραστάσεις σύντομοι χρονικαί*, dans *Scriptores originum Constantinopolitanarum. 1*, rec. Th. Preger (Teubner), Lipsiae 1901, p. 19-73.

Constantinople in the early eighth century : the Parastaseis syntomoi chronikai, introd., transl. & commentary, ed. by Av. Cameron & J. Herrin (Columbia studies in the classical tradition 10), Leiden 1984.

Patmos 1 *Βυζαντινὰ ἔγγραφα τῆς μονῆς Πάτμου. Α΄, Αὐτοκρατορικά*, γενική εισαγωγή, ευρετήρια, πίνακες υπό Ε. Λ. Βρανούση [ed. E. L. Vranousse] (Εθνικό Ίδρυμα ερευνών. Κέντρο Βυζαντινών ερευνών), Αθήνα 1980.

Patria *Πάτρια Κωνσταντινουπόλεως*, dans *Scriptores originum Constantinopolitanarum. 2, Ps.-Codini Origines continens*, rec. Th. Preger (Teubner), Lipsiae 1907.

trad. : *Accounts of medieval Constantinople : Scriptores originum Constantinopolitanarum : the Patria*, transl. by A. Berger (Dumbarton Oaks medieval library 24), Cambridge Mass. – London 2013, p. 23-227 et 270-279.

PBW M. Jeffreys *et al.*, *Prosopography of the Byzantine world*, <http://pbw.kcl.ac.uk>

Peira *Πείρα ἤγουν διδασκαλία ἐκ τῶν πράξεων τοῦ μεγάλου κυροῦ Εὐσταθίου τοῦ Ῥωμαίου = JGR. 4, Practica ex actis Eustathii Romani : epitome legum*, ex ed. C. E. Zachariae a Lingenthal, ἐπιμ. Ἰ. Δ. Ζέπου, Athenis 1931, réimpr. Aalen 1962.

PG *Patrologiae cursus completus. Series graeca*, accur. J.-P. Migne, Paris 1856-1866.

Photius, *Bibliothèque. 2, Codices 84-185 ; 3, Codices 186-222*, texte établi et trad. par R. Henry, Paris 1960, 1962.

Pierre Gilles, *Itinéraires byzantins*, introd., trad. du latin et notes par J.-P. Grélois (MTM 28), Paris 2007.

PL *Patrologiae cursus completus. Series latina*, accur. J.-P. Migne, Paris 1844-1865.

PLRE *The prosopography of the later Roman Empire*, by A. H. M. Jones, J. R. Martindale & J. Morris, Cambridge 1971-1992.

PmbZ *Prosopographie der mittelbyzantinischen Zeit*, nach Vorarbeiten F. Winkelmanns erstellt von R.-J. Lilie *et al.*, Berlin 1998-2000.

PO *Patrologia Orientalis.* Paris.

Procopius, *De aed.* *Procopii Caesariensis opera omnia. 4, De aedificiis libri VI*, rec. J. Haury, addenda et corrigenda adjecit G. Wirth (Teubner), Leipzig 1964[2].

Procopius, *De bello Gothico* *Procopii Caesariensis opera omnia. 2, De bellis libri V-VIII*, rec. J. Haury, addenda et corrigenda adjecit G. Wirth (Teubner), Leipzig 1963[2].

Procopius, *De bello Persico* *Procopii Caesariensis opera omnia. 1, De bellis libri I-IV*, rec. J. Haury, addenda et corrigenda adjecit G. Wirth (Teubner), Leipzig 1962[2], p. 4-304.

Procopius, *De bello Vandalico* *Procopii Caesariensis opera omnia. 1, De bellis libri I-IV*, rec. J. Haury, addenda et corrigenda adjecit G. Wirth (Teubner), Leipzig 1962[2], p. 307-552.

Procopius, *Historia arcana* *Procopii Caesariensis opera omnia. 3, Historia quae dicitur arcana*, rec. J. Haury, addenda et corrigenda adjecit G. Wirth (Teubner), Leipzig 1963[2].

Procope de Césarée, *Histoire secrète*, trad. et comment. par P. Maraval, Paris 1990.

Prôtaton *Actes du Prôtaton*, éd. diplomatique par D. Papachryssanthou (Archives de l'Athos 7), Paris 1975.

Pseudo-Zachariah Rhetor *The Chronicle of Pseudo-Zachariah Rhetor : church and war in late antiquity*, ed. by G. Greatrex and transl. from Syriac and Arabic sources by R. R. Phenix & C. B. Horn (Translated texts for historians 55), Liverpool 2011.

RAC *Rivista di archeologia cristiana*. Città del Vaticano.

Rallès & Potlès 1-6 *Σύνταγμα τῶν θείων καὶ ἱερῶν κανόνων*, ὑπὸ Γ. Α. Ῥάλλη καὶ Μ. Ποτλῆ, ἐν Ἀθήναις 1852-1859.

RE *Paulys Realencyclopädie der classischen Altertumswissenschaft*, Stuttgart – München 1894-1997.

REArm *Revue des études arméniennes*. Paris.

REB *Revue des études byzantines.* Paris.

REG *Revue des études grecques*. Paris.

Regesten 1-2 F. Dölger & P. Wirth, *Regesten der Kaiserurkunden des oströmischen Reiches von 565-1453. 1, Regesten von 565-1025; 2, Regesten von 1025-1204,* zweite, erweiterte und verbesserte Auflage, München 1960-1995.

Regesten 476-565 *Regesten der Kaiserurkunden des oströmischen Reiches von 476 bis 565*, bearb. von T. Lounghis, B. Blysidu, St. Lampakes, Nicosia 2005.

Regestes 2-3 V. Grumel, *Les regestes des actes du patriarcat de Constantinople. 1, Les actes des patriarches. 2-3, Les regestes de 715 à 1206*, 2[e] éd. revue et corrigée par J. Darrouzès, Paris 1989.

RN *Revue numismatique*. Paris.

ROC *Revue de l'Orient chrétien*. Paris.

RSBN *Rivista di studi bizantini e neoellenici.* Roma.

SB *Sammelbuch griechischer Urkunden aus Ägypten*. Wiesbaden 1913-.

SBS *Studies in Byzantine sigillography*.

SC Sources chrétiennes. Paris.

Scylitzes *Ioannis Scylitzae Synopsis historiarum*, rec. I. Thurn (CFHB. Series Berolinensis 5), Berlin – New York 1973.

Scylitzes continuatus dans Georgius Cedrenus : *Georgius Cedrenus Ioannis Scylitzae ope*, ab I. Bekkero suppletus et emendatus (CSHB 4), Bonnae 1838-1839, vol. 2, p. 641-744.

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SEG *Supplementum epigraphicum Graecum*.

Skylitzès, *Empereurs* Jean Skylitzès, *Empereurs de Constantinople*, texte trad. par B. Flusin et annoté par J.-C. Cheynet (Réalités byzantines 8), Paris 2003.

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Socrate de Constantinople, *Histoire ecclésiastique*, texte grec de l'éd. G. C. Hansen, trad. par P. Périchon & P. Maraval (SC 470, 493, 505, 506), Paris 2004-2007.

Souda *Suidae Lexicon*, ed. A. Adler (Lexicographi Graeci recogniti et apparatu critico instructi 1), Lipsiae, 1928-1938.

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StT Studi e testi. Biblioteca Apostolica Vaticana, Città del Vaticano.

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Syn. CP *Synaxarium Ecclesiae Constantinopolitanae e codice Sirmondiano nunc Berolinensi, adiectis synaxariis selectis : Propylaeum ad Acta sanctorum Novembris*, opera et studio H. Delehaye, Bruxelles 1902.

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TIB Tabula Imperii Byzantini. Wien.

TIB 2 : F. Hild & M. Restle, *Kappadokien (Kappadokia, Charsianon, Sebasteia und Lykandos)*, Wien 1981.

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TIB 12 : A. Külzer, *Ostthrakien (Eurōpē)*, Wien 2008.

TIB 13 : K. Belke, *Bithynia und Hellespontos*, Wien 2018, sous presse.

TLG *Thesaurus linguae Graecae*.

TLG® *Thesaurus linguae Graecae Digital Library*, project director M. C. Pantelia, University of California, Irvine. http://www.tlg.uci.edu.

TM *Travaux & mémoires*. Paris.

Variorum CS Variorum collected studies series. London – Aldershot.

Vatopédi 1 *Actes de Vatopédi. 1, Des origines à 1329*, éd. diplomatique par J. Bompaire, J. Lefort, V. Kravari, C. Giros (Archives de l'Athos 21), Paris 2001.

VV — *Византийский временник*. Москва.

Water supply — J. Crow, J. Bardill & R. Bayliss, *The water supply of Byzantine Constantinople*, (Journal of Roman studies. Monograph series 11), London 2008.

WBS — Wiener byzantinistische Studien. Wien.

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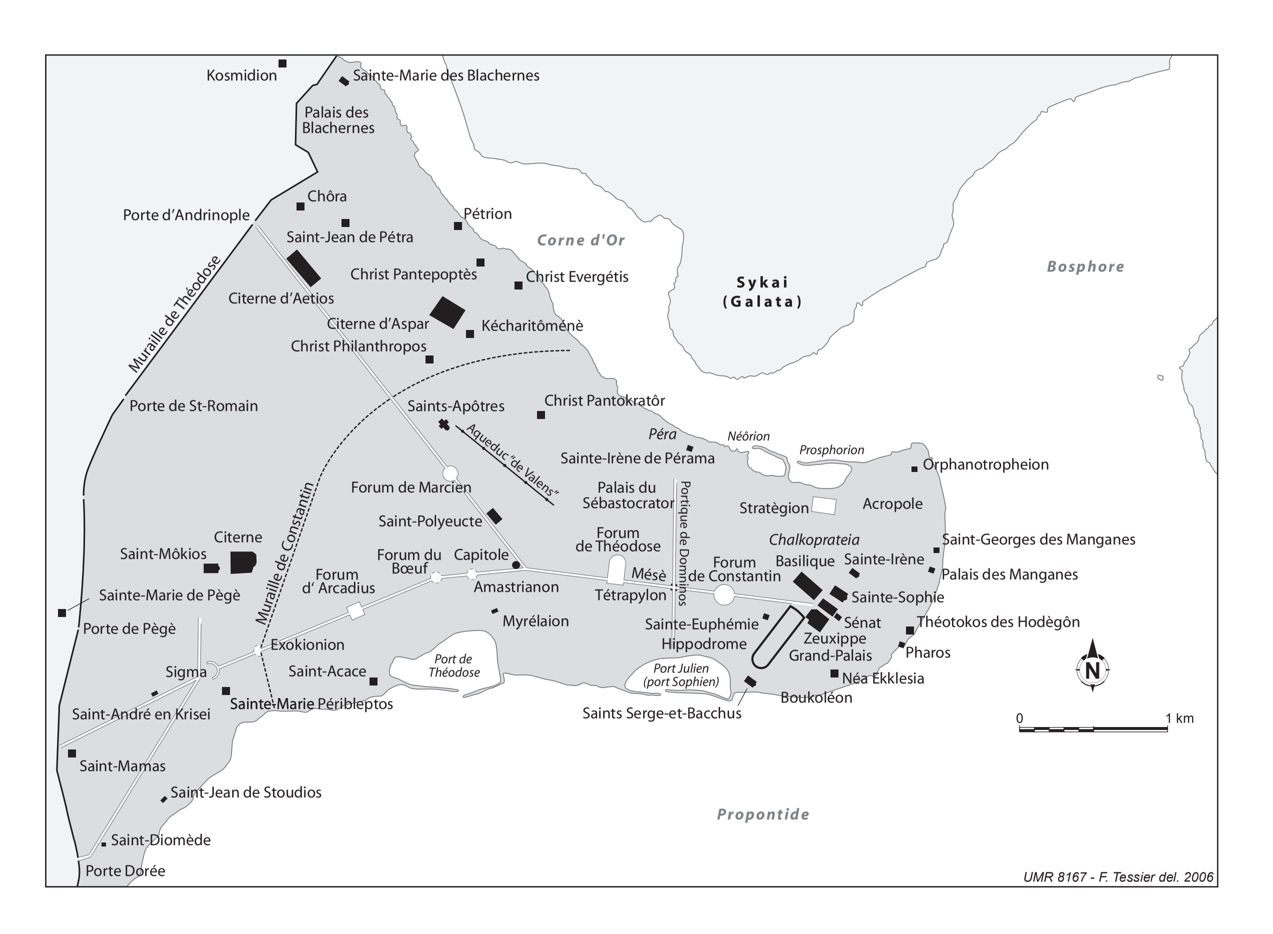
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ZPE — *Zeitschrift für Papyrologie und Epigraphik*. Bonn.

ZRVI — *Зборник радова Византолошког института*. Београд.



Plan de Constantinople.

NEW PERCEPTIONS OF *IMPERIUM* AND *SACERDOTIUM* IN THE LETTERS OF POPE NICHOLAS I TO EMPEROR MICHAEL III

by Evangelos Chrysos

In his seminal monograph *Empereur et prêtre*, Gilbert Dagron investigated in detail the office of the emperor and his powers and privileges in respect of the church leaders of the Byzantine Empire, particularly the patriarch of Constantinople, the *prêtre* par excellence. However, in the revised edition in English translation by Jean Birrell, the subtitle was changed: *Emperor and priest : the imperial office in Byzantium* (Cambridge 2003). There is good reason to suppose that the withdrawal of the term "caesaropapism" from the subtitle in the English version was a practical consequence of the fact that Dagron wanted to demonstrate that the term was actually not as helpful as expected for a deeper understanding of "how it was" in the relations between emperor and patriarch. This is in fact the conclusion to be drawn from his presentation of the history of the term "caesaropapism" in modern times and the historical background of this notion in the Middle Ages.[1] Thus Dagron documented beyond any doubt that the term was the

1. In chapter IX Gilbert Dagron offered a comprehensive analysis of the term "caesaropapism," starting with Justus Henning Böhmer in the eighteenth century, who first spoke of "Papo-Caesaria" and "Caesaro-Papia," and of its application for medieval historical formations. The way Dagron explained the application of the term in recent times is revealing: the expression caesaropapism "was increasingly used in the second half of the nineteenth century, less as a theoretical notion than as a well-aimed insult targeting Byzantium and its Orthodox heirs, identifying "Constantinian" or "Justinian" interventionism as the principal cause of the "schism" between Christian East and Christian West, and pushing to the point of incompatibility the distinction between the spiritual and the temporal "power." This imprecise concept was above all a killer word ["un mot assassin"], and it should not be toned down by being given too conciliatory a definition; nor can its significance be appreciated without reference to the various strands of thought that led to its stark formulation and explain its survival," *Emperor and priest*, pp. 283–4 [*Empereur et prêtre*, pp. 291–2]. See further on p. 290: "'Caesaropapism' being seen as a pagan heritage preserved in a stagnant East, from which a liberated West had rapidly broken away."

Constantinople réelle et imaginaire : autour de l'œuvre de Gilbert Dagron
(Travaux et mémoires 22/1), Paris 2018, pp. 313–339.

product of a prejudice and was coined and applied in the West as an invective against the East, but was practically worthless as a tool to shed light on the complicated structure of powers of the Middle Ages. Thus he concluded: “Le mot ‘césaropapisme’ agace. Il sonne comme une gifle.”[2]

As Hans-Georg Beck has stated, “the problem of imperial power in the Byzantine church is not a problem of caesaropapism, because the existence of such a problem always presupposes the competition of two independent institutions, one of which does not want to accept the other in its independence.”[3] This structure does not apply in the case of Byzantium because “Byzantium had never denied the distinction between the temporal and the spiritual, nor ever officially accepted that an emperor might be a priest.”[4] But if there was no caesaropapism in the East because there was no pope there, how was it when the emperor communicated with a *papa*, how did he deal with the pope of Rome? And what was the pope’s attitude towards him?

As a minor contribution to this volume dedicated to the personality and the scholarship of Gilbert Dagron I thought it would be suitable to see how the perception of the emperor’s intervention in church life influenced the argumentation of the two parties in the confrontation of East and West in the ninth century, when the emperor’s counterpart was the pope of Rome. In particular I shall try to identify the perceptions of Pope Nicholas I (858–67) concerning his and the imperial office, and to analyze the way he treated the incumbent emperor Michael III (842–67) from his position as the bishop of Rome.

In the critical edition of Ernestus Perels for the Monumenta Germaniae historica, the third collection of Nicholas’ letters, under the title *Nicolai I. papae epistolae ad res orientales, precipue ad causam Ignatii et Photii pertinentes*, contains twenty-two letters sent to the East in conjunction either to the issue of Photius’ canonical election and/or the mission in Bulgaria.[5] Nine of them are addressed to Emperor Michael III (epp. 82, 85, 88, 89, 90) or members of the imperial family (epp. 93, 95, 96) and one to members of the Byzantine senate (ep. 97), three are addressed to Photius (epp. 83, 86, 92), one to Ignatius (ep. 94), four to bishops and faithful in general (epp. 84, 91, 98, 98a), one to the king of Bulgaria (ep. 99), one to the king of Armenia (ep. 87) and one each to the kings Charles the Bald (ep. 101) and Louis the German (ep. 102) and one to the

2. *Empereur et prêtre*, pp. 302–3.

3. H.-G. Beck, *Kirche und theologische Literatur im byzantinischen Reich*, München 1959, p. 36: “So ist das Problem der Kaisermacht in der byzantinischen Kirche kein „cäsaropapistisches“ Problem, weil ein solches immer die Konkurrenz zweier selbständiger Institutionen voraussetzt, von denen die eine die andere in ihrer Selbständigkeit nicht gelten lassen will.” The literature on the concept of caesaropapism, especially on the Constantinian pattern, is vast. Indicative is the study of J.-M. Sansterre, Eusèbe de Césarée et la naissance de la théorie « césaropapiste », *Byz.* 42, 1972, pp. 131–95 and 532–94.

4. *Empereur et prêtre*, p. 293.

5. Nicolaus I, *Epistolae*, ed. E. Perels (MGH, Ep. 6), Berolini 1925, pp. 433–610. Cf. E. Perels, *Papst Nikolaus I. und Anastasius Bibliothecarius : ein Beitrag zur Geschichte des Papsttums im neunten Jahrhundert*, Berlin 1920. J. Haller, *Nikolaus I. und Pseudoisidor*, Stuttgart 1936. See further Y. Congar, Nicolas Ier : ses positions ecclésiologiques, *Rivista di storia della chiesa in Italia* 21, 1967, pp. 393–410. G. Dagron, L’Église et l’État (milieu IXe-fin Xe siècle), in *Histoire du christianisme des origines à nos jours. 4, Évêques, moines et empereurs (610–1054)*, sous la responsabilité de G. Dagron, P. Riché & A. Vauchez, Paris 1993, pp. 167–240, at pp. 172–9.

archbishop Hincmar of Reims (ep. 100). In this study we shall focus mainly on the five letters to Emperor Michael.

One of the crucial areas of contact between ecclesiastical and temporal powers, as demonstrated by Gilbert Dagron, is the authority over the convocation, the functional leadership and the implementation of the decisions of the synods, especially the general or ecumenical councils. The approach that Constantine the Great initiated with his policy in the realm of church affairs and in particular his role at the First Ecumenical Council in Nicaea (325), established the pattern of the emperors' appropriate intervention, and that pattern remained valid for many centuries as a characteristic feature of the Byzantine Empire: this pattern, that established for the emperor the position of ἐπίσκοπος τῶν ἐκτός, or κοινὸς ἐπίσκοπος, attests for him a distinct role in relation to the bishops that includes a positive engagement for taking care of all practical issues (the traveling of the bishops from their bishoprics to the venue of the council with the service of the *cursus publicus* and their full board and accommodation, the practical arrangement of the unhampered daily work of the convention and the application of law and order in and outside the council hall, and finally the implementation of the decisions by sending them out to the appropriate addressees and, if needed, exercising coercive services in cases when deposed clergymen were to be removed by force from their sees).[6]

Thus the church historian Socrates concludes his narrative of what happened at the Council of Nicaea by explaining why he included information from the secular world in his Ἐκκλησιαστικὴ Ἱστορία with the ingenious remark: "We have continually included the emperors in these historical details; because from the time they began to profess the Christian religion, the affairs of the church have depended on them, so that even the greatest Synods have been, and still are, convened according to their judgement."[7] With

6. In the letter by which Emperor Theodosius II convened the Third Ecumenical Council at Ephesus in 431 he defined how he understood his imperial duties in the synod which he considered to be the best way for removing religious differences. As for the bishops' participation he writes that "he shall not easily allow anyone to absent himself. Anyone who will not be punctually present at the proposed place at the appointed time will have no excuse before God or ourselves [...]," *ACO* 1, 1, 1, pp. 114,26 – 116,9. For his representative at the council he stated that he was sent with the injunction and on this condition that "he shall have nothing to do with problems and controversies regarding dogmas of faith, for it is not desirable that one who does not belong to the body of holy bishops should meddle with ecclesiastical questions and to remove from the city any monks or laymen who have gathered there for this council or will do so: "those who are not required for the study of the sacred dogmas must not be allowed to create trouble or put obstacles in the way in matters which Your Holinesses are there to settle and define," *ACO* 1, 1, 1, pp. 120,2 – 121,16. F. Dvornik, Emperors, popes, and general councils, *DOP* 6, 1951, pp. 3–23, at p. 14, concludes his analysis with the statement: "In other words, the emperor's representative was there as a police officer, responsible for order and the synod's peaceful proceedings. Theodosius II therefore observed the compromise between synodal and imperial rights as laid down by the council of Nicaea." On the many different aspects of the financial and logistic support see the exemplary work of A. H. M. Jones, *The later Roman Empire, 284–602 : a social, economic and administrative survey*, Oxford 1964, *passim*.

7. Socrates Scholasticus, *Historia ecclesiastica*, book V: Συνεχῶς δὲ καὶ τοὺς βασιλεῖς τῇ ἱστορίᾳ περιλαμβάνομεν, διότι ἀφ' οὗ χριστιανίζειν ἤρξαντο, τὰ τῆς ἐκκλησίας πράγματα ἤρτητο ἐξ αὐτῶν καὶ αἱ μέγιστοι σύνοδοι τῇ αὐτῶν γνώμῃ γεγόνασί τε καὶ γίνονται, *PG* 67, col. 565; Sokrates, *Kirchengeschichte*, p. 275; Socrate de Constantinople, *Histoire ecclésiastique*, p. 150. Cf. H. Ch. Brennecke, Synode als Institution zwischen Kaiser und Kirche in der Spätantike : Überlegungen zur Synodalgeschichte des 4. Jahrhunderts, in *Die Synoden im trinitarischen Streit : über die Etablierung eines synodalen Verfahrens*

Gilbert Dagron we can conclude that "le rôle de l'empereur dans la convocation des conciles et la promulgation des canons n'a jamais été discuté."[8] For this statement Dagron refers to evidence provided by Francis Dvornik[9] according to which this pattern was accepted and applied even by those popes who are known for their powerful propagation of the primacy of the bishop of Rome, such as Celestine I[10] and Leo the Great.[11]

This was in line with the tradition recorded by Bishop Optatus of Milevum who responded to the famous question raised by the Donatist, *Quid est imperatori cum ecclesia?* with a pragmatic answer placing the church within the state: *Non enim res publica est in ecclesia, sed ecclesia est in re publica, id est imperio Romano*.[12] The church in East and West had in fact welcomed the Christian emperor as her noble member and rejoiced that she could rely on his benefaction. This perception opened the way for acceptance of his role by the church and facilitated her historic, perhaps sometimes damaging decision to allow herself to rely on the benefactions and privileges bestowed to her by the state. However, this mode was functioning only under the condition that the emperor would support what the bishops believed to be the right doctrine. Otherwise the militant Christians were ready to confront him with resistance as they did in the heroic days of the persecution and in those cases the rhetorical reminiscence of Diocletian's persecution as the worst ever was easily at hand. A short reference to some of the most striking cases may be useful:

One such case occurred when one of Constantine's sons and successors, Constantius II, supported the Arian doctrine and the orthodox bishops were put under pressure. Their reaction was furious and Constantius II (337–61) was attacked with harsh charges and he was even blamed for being addressed by the Arians as *episcopus episcoporum*, which was untrue.[13] Consequently modern scholars have labeled him as being the first caesaropapist

und die Probleme seiner Anwendung im 4. und 5. Jahrhundert, hrsg. von U. Heil & A. von Stockhausen (Archiv für die Ausgabe der griechischen christlichen Schriftsteller der ersten Jahrhunderte 177), Berlin 2017, pp. 19–50.

8. *Empereur et prêtre*, p. 307.

9. Dvornik, Emperors (quoted n. 6).

10. Pope Celestine I guaranteed that he would support the emperor Theodosius II in his initiative to convene the Council of Ephesus (431): "Every one of us [...] shall give the help we can to such holy and glorious zeal and we shall be present through our legates at the synod which you have summoned: *et huic synodo, quam esse jussistis, nostram praesentiam in his quos misimus, exhibemus*" (*ACO* 1, 2, p. 25,23–4). Cf. Dvornik, Emperors (quoted n. 6), p. 15.

11. Dvornik, Emperors (quoted n. 6), p. 16: "Leo the Great wrote to Theodosius II: 'The letter you have sent me proves what comfort the Lord has prepared for His church through the faith of Your Clemency. It gives us joy to find in you a soul that is not only royal, but priestly. For besides your imperial and public cares, you display such pious solicitude for the Christian religion that schism, heresy and scandal shall not grow among the people of God. Your empire prospers most when the mutable Trinity is served best in the profession of the one Divinity" (Mansi 5, col. 1241).

12. Optatus of Milevis, *Against the Donatists* (1917) book 3, 3. http://www.tertullian.org/fathers/optatus_03_book3.htm#C3. Cf. H. Ch. Brennecke, Ecclesia est in re publica, id est in imperio romano (Optatus III 3) : das Christentum in der Gesellschaft an der Wende zum „konstantinischen Zeitalter", *Jahrbuch für biblische Theologie* 7, 1992, pp. 209–39.

13. K. M. Girardet, Kaiser Konstantius II. als „Episcopus Episcoporum" und das Herrscherbild des kirchlichen Widerstandes (Ossius von Corduba und Lucifer von Calaris), *Historia : Zeitschrift für Alte Geschichte* 26, 1977, pp. 95–128. Cf. Dagron, *Emperor and priest*, p. 148. H. Ch. Brennecke, *Hilarius von Poitiers und die Bischofsopposition gegen Konstantius II. : Untersuchungen zur dritten Phase des arianischen Streites (337–361),* Berlin 1984.

in history. However, as Francis Dvornik has observed, "he never pretended to dictate the acceptance of his own creed and respected the function of the synods in defining the faith. That is why many synods were held under his reign, all convoked by the emperor."[14]

Another notorious case is recorded when Emperor Zeno (from 474 to 475 and again from 476 to 491) promulgated the *Henotikon,* a moderate pro-Monophysite edict, in the hope of winning over the Monophysites. When Acacius (Patriarch of Constantinople from 472 to 489) approved this law, Pope Felix III (483–92) excommunicated him in 484, although he avoided doing the same with the emperor. In his opinion, even if "emperors abused their right, their office was still the highest in the world, and they do have an ecclesiastical mission, and they can choose the bishops."[15] Even the famous statement by Gelasius I, Felix's secretary and future successor, who developed the famous theory of defining the distinct prerogatives of the *sacerdotium* and its *potestas ligandi et solvendi* on the one hand and the *imperium* and its *auctoritas* on the other, a definition that was destined to seal the Roman perception of the pope's role in the world—this did not "imply that the secular power should be subordinated to the ecclesiastical […] The interdependence of the two powers left room for the emperor's customary share in the execution of church decisions."[16]

The theory of the two powers, to the analysis of which Gilbert Dagron has made a substantial contribution in his book,[17] was adopted by Justinian, who also made the distinction between *imperium* and *sacerdotium* as two distinct powers that serve the same humankind.[18] However, this did not hinder him from showing a very personal interest in church affairs.[19] With covert criticism, Procopius of Caesarea records that Justinian spent the nights in discussions with the elderly priests about religious issues (instead of taking

14. Dvornik, Emperors (quoted n. 6), p. 11.

15. *Ibid.*, p. 20.

16. *Ibid.*, p. 20. See the famous letter of Gelasius to Emperor Anastasius in *The Letters of Gelasius I (492–496) : micro-manager and pastor of the church of Rome*, introd., transl. and notes by B. Neil & P. Allen (Adnotationes : commentaries on early Christian and patristic texts 1), Turnhout 2014, pp. 73–80. Cf. Ph. Blaudeau, Motifs et structures de divisions ecclésiales : le schisme acacien, *Annuarium historiae conciliorum* 39, 2007 [2010], pp. 65–98. I am reluctant to follow completely Gilbert Dagron in his opinion that this definition included the denial to the emperor of the right to intervene in church affairs, *Emperor and priest*, p. 300.

17. See his concluding chapter "Caesaropapism" and the theory of the "two powers," in *Emperor and priest*, pp. 295–312.

18. Novel 6, preface: "The priesthood and the Empire are the two greatest gifts which God, in His infinite clemency, has bestowed upon mortals; the former has reference to Divine matters, the latter presides over and directs human affairs, and both, proceeding from the same principle, adorn the life of mankind; hence nothing should be such a source of care for the emperors as the honor of the priests who constantly pray to God for their salvation. For if the priesthood is everywhere free from blame, and the Empire full of confidence in God is administered equitably and judiciously, general good will result, and whatever is beneficial will be bestowed upon the human race". S. P. Scott, *The Civil law. 16*, Cincinnati 1932. < https://droitromain.univ-grenoble-alpes.fr/Anglica/N6_Scott.htm>.

19. On the image of Justinian in the Middle Ages and in modern times see G. Prinzing, Das Bild Justinians I. in der Überlieferung der Byzantiner vom 7. bis 15. Jahrhundert, *FM* 7, 1986, pp. 1–99, and H. Leppin, *Justinian : das christliche Experiment*, Stuttgart 2011, pp. 346–53.

care of the affairs of the state).[20] Being well educated and capable and with an apparent disposition to elaborate on theological issues and to compose theological propositions of his own, Justinian did not hesitate to publish them in the form of imperial edicts.[21] In the cases when his propositions were met with agreement by the bishops, the *modus operandi* of the emperor was not opposed by the clergy as a matter of principle. Thus Pope John II reacted to Justinian's theological edict of 533[22] with the following response: "We hear that you have addressed to all the faithful an edict in which religious zeal for the right faith prompts you to support apostolic doctrine against heretical machinations, with the encouragement of our brethren bishops. As your action is true to apostolic teaching, we confirm it with our authority."[23] When, however, his proposals met with serious criticism, as they often did, he convened episcopal synods and asked them to take binding decisions without his or his representatives' physical presence. Justinian demonstrably underlined the fact that his law was merely a validation of synodical decisions: "Our Imperial Majesty makes the sentence of deposition passed upon him by the Holy Synod [...] our own, and enact the present law against him." The phraseology is significant: Τὴν καθαιρέσεως ψῆφον παρὰ τῆς ἁγίας συνόδου [...] κυρίαν ἡ ἡμετέρα τίθεται βασιλεία = *ratum nostrum ponit imperium* (in the meaning of *ratifacere)*.[24] That this procedure could not stop those who were not persuaded is demonstrated by the case of the decisions of the Fifth Ecumenical Council on the so-called Three Chapters. The opposition to these decisions in Africa and especially in northern Italy lasted for more than half a century.[25]

In addition we should remember that Justinian's readiness to validate the synodical decisions by his imperial law should be assessed in the context of his important innovation to recognize church canons as having the same rank and value for the state as imperial laws. Thus in Novel 131, promulgated in April 545, the emperor established the absolute equality of the canons of the ecumenical councils with the secular laws: "We therefore ordain that the canons of the holy church which were enacted or confirmed by the four holy councils, that is to say, of the 318 at Nicaea, of the 150 holy fathers at Constantinople, and of the first held at Ephesus, at which Nestorius was condemned, and of that held at Chalcedon at which Eutyches and Nestorius were anathematized,

20. ὃς δὴ κάθηται ἀφύλακτος ἐς ἀεὶ ἐπὶ λέσχης τινὸς ἀωρὶ νύκτωρ, ὁμοῦ τοῖς τῶν ἱερέων ἐσχατογέρουσιν ἀνακυκλεῖν τὰ Χριστιανῶν λόγια σπουδὴν ἔχων: Procopius, *De bello Gothico* VII 32, 9, p. 435,5–8.

21. See the analysis of the theological edict published on 6 August 536 as Novel 42 in H. Amirav & E. Chrysos, The Christian commonwealth in anti-heretical texts : the case of the emperor Justinian's writings, in *New themes, new styles in the eastern Mediterranean : Christian, Jewish, and Islamic encounters, 5th–8th centuries*, ed. by H. Amirav & F. Celia, Leuven 2017, pp. 19–38.

22. *Regesten 476–565*, no. 990, p. 248, a. 533.

23. *Iohannes episcopus Iustiniano Augusto* in *Epistolae imperatorum pontificum aliorum inde ab a. CCCLXVII usque ad a. DLIII datae Avellana quae dicitur collectio*, rec. O. Günther (CSEL 35), Vindobonae 1898, no. 84. Cf. Dvornik, Emperors (quoted n. 6), p. 21. Cf. E. Caspar, *Geschichte des Papsttums. 2*, Tübingen 1933, p. 217.

24. E. Chrysos, *Ἡ ἐκκλησιαστικὴ πολιτικὴ τοῦ Ἰουστινιάνου κατὰ τὴν ἔριν περὶ τὰ τρία κεφάλαια και τὴν Ε΄ Οἰκουμενικὴν Σύνοδον*, Θεσσαλονίκη 1969, pp. 97–104. Cf. Amirav & Chrysos, The Christian commonwealth (quoted n. 21), pp. 25 sq.

25. R. Schieffer, Zur Beurteilung des norditalischen Dreikapitel-Schismas : eine überlieferungsgeschichtliche Studie, *Zeitschrift für Kirchengeschichte* 87, 1976, pp. 167–201.

shall have the force of law. We accept the dogmas of the aforesaid four holy councils as divine scriptures, and uphold their canons as laws." [26]

The last case: when Empress Eirene and Emperor Constantine VI decided to upset the iconoclastic regime, they summoned an ecumenical council in 787. In their address to the Council Fathers, they defined the traditional pattern of the roles of the emperor and the bishops: "By God's will, we have brought together you, His sacred priests, that your decision may be in accordance with the definitions of the synods which have given correct dogmatic decisions so that the glory of the Spirit may enlighten all."[27] Pope Hadrian I responded joyfully to the imperial invitation,[28] for thus the emperors proved to be worthy successors of Constantine and Helena.[29] As one should expect, Hadrian did not miss the opportunity to underline the importance of the See of Rome as the mother of the churches and acclaim the emperors as New Constantine and New Helena. Apparently the classical pattern of the roles in the church and state synergy was under given conditions still functioning admirably.[30] However, as we shall see, this *consonantia* was not to last for long.

To sum up this short overview: we must keep in mind that the Constantinian pattern of church and state relations was established and respected as long as the emperor remained the energetic supporter and guardian of the church. Consequently his privilege to take the initiative for convoking the councils and presiding over them personally or through appointed representatives remained unchallenged until the ninth century.[31] It is against this background that we shall make an attempt first to analyse the attitude of Pope

26. Θεσπίζομεν τοίνυν, τάξιν νόμων ἐπέχειν τοὺς ἁγίους ἐκκλησιαστικοὺς κανόνας τοὺς ὑπὸ τῶν ἁγίων τεσσάρων συνόδων ἐκτεθέντας ἢ βεβαιωθέντας [...] τῶν γὰρ προειρημένων ἁγίων δ΄ συνόδων καὶ τὰ δόγματα καθάπερ τὰς θείας γραφὰς δεχόμεθα καὶ τοὺς κανόνας ὡς νόμους φυλάττομεν, *Nov.*, pp. 654,24 – 655,8 <http://www. uwyo.edu/lawlib/blume-justinian/>. Cf. S. N. Troianos, Θεσπίζομεν τοίνυν, τάξιν νόμων ἐπέχειν τοὺς ἁγίους ἐκκλησιαστικοὺς κανόνας …, *Byzantina* 13, 1985, pp. 1191–200; H.-G. Beck, *Nomos, Kanon und Staatsraison in Byzanz* (Sitzungsberichte Österr. Akademie der Wiss., phil.-hist. Klasse 384), Wien 1981.

27. *ACO, ser. sec.* 3, 1, p. 44,1–4: Τοιγαροῦν εὐδοκίᾳ καὶ ἐπινεύσει αὐτοῦ συνηγάγομεν ὑμᾶς τοὺς ὁσίους αὐτοῦ ἱερεῖς τοὺς διατιθεμένους τὴν διαθήκην αὐτοῦ ἐπὶ θυσίαις ἀναιμάκτοις, ἵνα τοῖς ὅροις τῶν ὀρθῶς δογματισάντων συνόδων ἡ κρίσις ὑμῶν ἐφάμιλλος γένηται καὶ πᾶσιν ἡ αἴγλη τοῦ πνεύματος καταλάμψῃ.

28. *ACO, ser. sec.* 3, 1, p. 119,13–7: *Quantum enim relationibus uestrae piissimae tranquillitatis ad nos uenientium didicimus, etiam ipso auditu nimis noster exultans releuatus est animus et tantum iocunditatis gaudium in cor nostrum ascendit, ut lingua humana explicare nullus sufficiat sermo, quia nimirum magis nobis laetitia de uestris iussionibus nunc orta est, quam dudum pro schismaticorum heresi meror afficeret.*

29. *ACO, ser. sec.* 3, 1, p. 121,12–5: *Constantes estote. quodsi perseverantes permanseritis in ea quam coepistis horthodoxa fide et per vos partibus illis in pristino statu erectae fuerint sacrae ac venerandae imagines, sicut piae memoriae domnum Constantinum imperatorem et beatam Helenam, qui fidem horthodoxam promulgaverunt.*

30. *ACO, ser. sec.* 3, 1, p. 121,15–21: *atque sanctam catholicam et apostolicam spiritalem matrem vestram Romanam ecclesiam exaltaverunt et cum ceteris horthodoxis imperatoribus utpote caput omnium ecclesiarum venerati sunt, ita vestrum a deo protectum clementissimum nomen novum Constantinum et novam Helenam habentes, per quos in primordiis sancta catholica et apostolica ecclesia robur fidei sumpsit, et ad eorum instar vibrantissime ac in toto orbe terrarum vestra opinatissima in triumphis imperialis fama laudabiliter divulgatur.*

31. E. Chrysos, Konzilspräsident und Konzilsvorstand : zur Frage des Vorsitzes in den Konzilien der byzantinischen Reichskirche, *Annuarium historiae conciliorum* 10, 1978, pp. 1–17.

Nicholas towards the Byzantine emperor in conjunction to his understanding of his own office,[32] second to ask for the source of this attitude in the canonical developments of the ninth century in the West and third the way the East reacted to these developments.

The best point of departure is with a short introductory reference to the clash between the two parties on the occasion of the election of Photius as patriarch of Constantinople. After the resignation of Patriarch Ignatius (847–58) under not very clear circumstances, but certainly with the intervention of the temporal power,[33] the clerical electorate, consisting of members of different and opposing parties—Francis Dvornik as well as Hans Georg Beck speak of "moderates" and "extremists"—who could not reach an agreeable solution[34] met in an apparently canonical procedure[35] and after considerable searching among different options they finally agreed on the person of a distinguished layman, the renowned scholar and high court official Photius, who was considered as holding a neutral position in the hotly debated issues of the day.[36] Because some of Ignatius' followers refused to accept the *fait accompli*, met instead in the church of St. Eirene and composed there a resolution against Photius, the majority reacted with a large synod of 170 bishops which was convened in the Apostles' church, and excommunicated Ignatius.[37] For what follows it is necessary to note that there is no doubt that Photius' election was approved if not proposed by Emperor Michael and his powerful uncle Bardas who in fact was running the state business and had been instrumental in the deposition of Ignatius. However it was a council of bishops that performed the election in contradiction to the appointment of the monk Ignatius eleven years before who had been selected directly by the empress Theodora without consultation of the synod.[38]

32. Still useful from the older bibliography is the substantial in all aspects three volume book of J. Hergenröther, *Photius Patriarch von Constantinopel, sein Leben, seine Schriften, und das griechische Schisma*, Ratisbonae 1867–69 with the additional volume *Monumenta Græca ad Photium ejusque historiam pertinentia*, Ratisbonae 1869, as well as H. Lämmer, *Papst Nikolaus I. und die byzantinische Staatskirche seiner Zeit*, Berlin 1857 and A. Greinacher, *Die Anschauungen des Papstes Nikolaus I. über das Verhältnis von Staat und Kirche*, Berlin 1909.

33. The historical sources, most of them with a partisan attitude towards Ignatius and againt Photius, do not allow us to form a clear picture of the events that brought Ignatius' fall: See the evidence collected in *PmbZ* 6666. However of particular importance for the canonical frame of what happened is the fact that Ignatius apparently agreed—under pressure—to submit a formal letter of resignation that opened the way to the election of a successor: See *Vita Euthymii Junioris* 12, 23: [Ignatius] μάχεσθαι, τοῦ θρόνου καὶ τῆς ἐκκλησίας ὑποχωρεῖ, τὸ μὲν ἑκών, τὸ δὲ βιαζόμενος, καὶ τῇ ἑαυτοῦ μονῇ προσκαρτερῶν βιβλίον παραιτήσεως τῇ ἐκκλησίᾳ ἐπιδίδωσι, κρεῖττον εἶναι ἡγούμενος καθ' ἡσυχίαν ἑαυτῷ. See *Regestes* 2-3, no. 455, pp. 92–4.

34. F. Dvornik, *The Photian schism : history and legend*, Cambridge 1970, p. 69. See also Id., Photius, Nicholas I and Hadrian II, *BSl.* 34, 1973, pp. 33–50; Id., *Byzance et la primauté romaine*, Paris 1964. See further H. G. Beck, *Geschichte der orthodoxen Kirche im byzantinischen Reich*, Göttingen 1980, p. 98. More descriptive and to the point is Dagron, L'Église et l'État (quoted n. 5), p. 168.

35. Even Hergenröther, *Photius* (quoted n. 32), vol. 1, p. 380, speaks of a merely "scheinbar kanonische Wahl."

36. On Photius' life and career see the comprehensive entry in *PmbZ* 6253.

37. *Regestes* 2-3, no. 458, pp. 96–7. Cf. Beck, *Geschichte der orthodoxen Kirche* (quoted n. 34), p. 100.

38. The selection of Ignatius by the empress without following any synodical procedure was castigated at the synod of 861 (see *infra*, n. 53). Cf. Beck, *Geschichte der orthodoxen Kirche* (quoted n. 34), p. 96

When Photius thought that his position was stabilized he sent to the pope of Rome the so-called *enthronistica*, the letter formally announcing his election that also included a short confession of faith. A formal letter was sent to Rome by the emperor too. From Pope Nicholas' response to these letters, which he sent to the East in the following year we can see how he conceived his office, his authority beyond the limits of Rome and Italy, how he perceived the balance of his authority with the emperor's power and how he defined the proper attitude in dealing with the relations of his church with the empire's authority at a time when Rome was no more part of the empire but instead functioned as the Papal state or the so-called Republic of Saint Peter.

In the very first of the letters that Nicholas addressed to the emperor Michael III, dated 25 September 860,[39] he exposed in a clear and unprecedented way how he understood the primacy of Rome and his role in dealing with the duties of temporal and ecclesiastical leaderships. He opened the letter with a fundamental statement about the *principatum divinae potestatis* that was given by God to the apostles, in particular to Peter[40] (with reference to Mt 16.18, the keystone of Roman primacy), on the basis of which he keeps unshaken the ecumenical church.[41] The message could not be more eloquent: the pope claims as a given and undisputable fact that he, as the successor of St. Peter, is the ecumenical leader who is entitled to exercise final judgement in all open questions. As far as I can see, there is no precedent for such an attitude in a papal letter addressed to an emperor.[42] Immediately after this opening statement the pope explains what he means in practical terms: *qualiter absque Romanae sedis Romanique pontificis consensus nullius insurgentis deliberationis terminus daretur*.[43]

On the basis of these assertions Nicholas, moved directly to criticizing the emperor himself for convening a synod without papal authorization: *Igitur a vobis Constantinopolim congregatum concilium, ut vestris apicibus nostris intimatum est auribus, huius tenoris seriem*

39. Nicolaus I, *Epistolae* (quoted n. 5), ep. 82, pp. 433–9. Cf. *Die Regesten des Kaiserreiches unter den Karolingern, 751–918 (987). 4, Papstregesten 800–911. 2, 844–872. 2, 858–867 (Nikolaus I.)*, bearb. von K. Herbers, Wien 2012, no. 525, pp. 68–70.

40. *Principatum divinae potestatis, quem omnium conditor electis suis apostolis largitus est, super solidam fidem apostolorum principis, Petri videlicet, soliditatem constituens, eius egregiam, immo primam sedem deliberavit*: Nicolaus I, *Epistolae* (quoted n. 5), p. 433,17–9.

41. *Petrus denique a firmitate petrae, quae Christus est, structuram universalis ecclesiae inconcussam et fidei robore solidatam ita precibus suis munire non cessat*: *ibid*., p. 433,21–3.

42. For several statements by previous popes with a message similar but not identical with Nicholas' sentence see H. J. Sieben, *Die Konzilsidee der alten Kirche*, Paderborn 1979 and Id., *Die Konzilsidee des lateinischen Mittelalters (847–1378)*, Paderborn 1984.

43. This sentence is introduced by the following: *ad cuius* [sc. apostolicae traditionis] *etenim, sicut ipsi scitis, integritatem observationis multotiens conventus factus est sanctorum patrum, a quibus et deliberatum ac observatum extitit*: Nicolaus I, *Epistolae* (quoted n. 5), p. 434,2-4. In a comment Perels, the editor, wonders if this remark is a reference to Canon 4 of the Synod in Serdica. Perhaps it is so, because Nicholas never failed to rely and to refer to the canons of the Synod of Serdica. On this synod see H. Hess, *The early development of Canon law and the Council of Serdica*, Oxford 2004, pp. 179 sq. The question of how the canons of the synod of Serdica were applied in later periods deserves an ad hoc scrutiny. Cf. Haller, *Nikolaus I. und Pseudoisidor* (quoted n. 5), p. 154: "(Die) Bestimmungen von Serdika sind unseres Wissens vor der Mitte des 9. Jahrhunderts niemals angewandt worden." However, C. H. Föste, *Die Reception Pseudo-Isidors unter Nikolaus I. und Hadrian II : ein Beitrag zur Geschichte der falschen Dekretalen*, Leipzig 1881, p. 6, has identified the source of this assertion in the *Pseudo-Isidorian Decretals*. See *infra*, pp. 344 sq.

parvipendens ab institutis supradictis manum considerationis suae reflectere non trepidavit, adeo ut Ignatium, supra iam nominatae urbis patriarcham, sine Romani consultu pontificis ibidem coetus conveniens proprio privasset honore.[44] Thus Nicholas asserted that Canon Law *(canonica institutio)* prohibited the acceptance of such witnesses as the ones the emperor had mentioned in his letter. Undoubtedly it was the first time that a pope dared to challenge an emperor with such criticism.

Nicholas I moved on to his main complaint, namely to condemn the election of Photius directly *(subito)* from the laity. In order to demonstrate that this election was contrary to the tradition and therefore inacceptable to the Apostolic See, he quotes several passages from letters of his predecessors Celestine I, Leo I, Gelasius and Hadrian I.[45] Therefore, Nicholas explains, he cannot consent to Photius' election and to the recognition of his ordination unless he finds out by his own legates, whom he was sending to the emperor in order to investigate what had happened and how the case of the See of Constantinople should be resolved.[46] His legates should further examine whether the information sent to him by the emperor was true that Ignatius had freely given up his throne and was consequently deposed by the members of a synod.[47] For the restoration of the canonical order he therefore demanded that his legates should go to Constantinople and that in a new general synod *(universum concilium)* they should re-investigate the case of Ignatius in order to assess the circumstances of his deposition.[48] After this a report composed by the papal legates should be submitted to him which he would have to examine personally, and only after that would he ultimately decide in his apostolic authority what was to be done next.[49]

This was an unprecedented attitude indeed, that created a completely new relationship between *empereur et prêtre* that deserves a close analysis and explanation. The situation in which a bishop of Rome directly raises doubts on the truthfulness of what the emperor

44. Nicolaus I, *Epistolae* (quoted n. 5), p. 434,5–9.

45. For Nicholas's argumentation and Photius' response see E. Chrysos, Rome and Constantinople in confrontation : the quarrel over the validity of Photius' ordination, in *Byzantium in dialogue with the Mediterranean : history and heritage*, ed. by D. Slootjes & M. Verhoeven, Turnhout 2018, in press.

46. *His ita paulisper praelibatis in supradicti viri consecratione consensum apostolatus nostri praebere non possumus, donec per missos nostros, quos ad vos destinavimus, cuncta, quae in iam praenominata saepius urbe de ecclesiasticis causis seu ordinibus peracta sunt vel agentur, nostris fuerint auribus*: Nicolaus I, *Epistolae* (quoted n. 5), p. 436,22–5.

47. *Et ut in omnibus rectus ordo servari queat, volumus, o Clemens Auguste, ut Ignatius, quem sedis supradictae gubernacula propria spontaneaque voluntate deseruisse et totius plebis congregato concilio depositum esse vestris apicibus nobis intimare curastis in conspectum veniat nostrorum missorum et universi concilii, vestris quidem imperialibus institutis, quatenus perquiratur, quamobrem spreverit traditam sibi plebem et instituta antecessorum nostrorum sanctorumque pontificum, Leonis videlicet quarti papae atque Benedicti, parvipendendo contempserit*: *ibid.*, p. 436,25–32.

48. At the end of the letter Nicholas expresses the astonishing wish that his legates should not face any contradiction to what they would say in the ecclesiastical affairs either by the emperor (!) or anyone else: *Et cum in conventu ecclesiae sederint pro ecclesiasticis diffinitionibus, nihil a vobis vel ab aliis alicuius contrarietatis impetum sentient*: *ibid.*, p. 439,16–8.

49. *In hoc agendum subtili examine a nostrae iussionis legatis depositionis eius censura perquiratur: quatenus inquirentes invenire queant, utrum canonicus tenor in eadem observatus fuerit vel non, manifestum existat: ac deinde, cum nostro praesulatui significatum fuerit, quid de eo agendum sit, apostolica sanctione diffiniemus, ut vestra ecclesia, quae tantis cotidie quatitur anxietatibus, inviolabilis deinceps et inconcussa permaneat*: *ibid.*, p. 436,32–7.

has written to him and who claims for himself the unique right to be the supreme judge in the case of the bishop of the See of Constantinople through his delegates in a synod and—what is more insulting!—nevertheless he still withholds the final decision for himself, *apostolica sanctione,* is completely beyond any precedent known from the past. Nicholas' order had been that the procedure which should be applied at the synod was, as he explained later, that his legates would investigate the *causa Ignatii* in a synod in the presence of the emperor; thereafter, they would have to report their findings to the pope, whereupon it was he, the pope, who would make the ultimate decision.[50]

This letter produced amazement and displeasure in Constantinople. Both the emperor and the patriarch were surprised and annoyed.[51] However they decided to tolerate this unprecedented and, in the eyes of every Easterner, insulting demand, and try to accommodate it with the expectation of finally reaching an agreement with the papal legates. After long preliminary discussions with the papal legates the Byzantine side consented to a new investigation of the *causa Ignatii* and the Roman legates agreed to ratify the decision that would be made at the synod.[52] This synod, known in the canonical record as the πρωτοδευτέρα σύνοδος with 318 participants, met in the church of the Apostles shortly before Eastern 861 in four sessions, with the presence of the emperor and Bardas, his uncle and strong man of the regime, and decided to declare solemnly the deposition of Ignatius.[53] However, when the legates fulfilled their mission in Constantinople by agreeing with the synod's decision in favor of Photius, Pope Nicholas refused to accept their judgement as premature and even punished them with deposition.[54]

50. *Quatenus missorum nostrorum fieret tantum inquisitio et vera examinatio, nobis tamen remaneret reservata diffinitio, utrum vera esset an falso super Ignatii patriarchae criminibus accusatio*: *ibid.*, p. 441,19–21. Cf. *Liber pontificalis*, *Vita Nicolai*, chap. 20. Cf. Dvornik, *The Photian schism* (quoted n. 34), p. 75.

51. In the collection of canons arranged by Deusdedit a fragment of the otherwise deleted acts of the synod of 861 is preserved mentioning that at the synod the emperor made the following statement: *Oportuerat quidem de Ignatio nullam iam fieri questionem, qui pro manifestis culpis depositus est, set honorantes sanctam Romanorum ecclesiam et sanctissimum papam Nicolaum in vicariis suis permittimus quę de eo sunt, iterum ventilare*: *Die Kanonessammlung des Kardinals Deusdedit*, hrsg. von V. W. von Glanvell, Paderborn 1905, p. 603,7–10. This statement was repeated and clarified by bishop Paul of Caesarea in Cappadocia, who was holding the highest rank in the hierarchy of the patriarchate of Constantinople: *Sententia synodi data est contra Ignatium et in ecclesia nostra ille iam causam non habet et questionem non venit, sed propter honorem sancti Petri et sanctissimi et universalis papę Nycolai renovari causam eius et iudicari placet omnibus nobis*: *ibid*., p. 603,10–4.

52. D. Stiernon, *Constantinople IV*, Paris 1967, German translation by N. Monzel, Mainz 1975, p. 42. For the Byzantine side Francis Dvornik reckons with a substantial loss of prestige. For by consenting to the judgment of her patriarch by the legates of the pope, Constantinople recognized Rome as the supreme tribunal of the church in disciplinary matters. It does not matter if the legates were or were not authorized by Pope Nicholas I to pronounce judgment. The fact that the Byzantine church allowed them to do so is in itself eloquent enough: Dvornik, *Byzance et la primauté romaine* (quoted n. 34), p. 98; Id., *The Photian schism* (quoted n. 34), p. 91.

53. At the end of the last session *synodus exclamavit: Nicolo papę et Photio patriarchę multos annos, apocrisariis papę multos annos*: *Die Kanonessammlung des Kardinals Deusdedit* (quoted n. 51), p. 610,4–5.

54. Dvornik, *The Photian schism* (quoted n. 34), p. 91. Stiernon, *Constantinople IV* (quoted n. 52), p. 48.

With the second letter that Pope Nicholas addressed to Emperor Michael on 18 March 862[55] he responded to the news and the documents from the "First-Second" synod that had reached him from Constantinople.[56] In this letter Nicholas informed the emperor that the legates that were sent in 860 for the synod had briefed him on their return. In addition he had studied the acts of the synod, and on the basis of this evidence he had come to the conclusion that he should reject the synod's decisions and stick to his original determination to refuse recognition of the election of Photius, because the verdict in the case of Ignatius was foolish and not according to his own instruction or rather against it.[57] Therefore, he declared in an absolute form that "we annulled the verdict of the deposition of Ignatius and the elevation of Photius not on the grounds of an investigation by our legates, but on our own assessment. Now we realize, however, that you have kept Photius and deposed Ignatius despite the verdict of our Apostolic See. Hence we are determined that in no way shall we accept Photius and condemn Ignatius."[58] The arrogance of confronting the emperor with such a categorical refusal of what had been decided at a large synod in the emperor's presence and with the active involvement of the authorized papal legates calls for an explanation.

Nicholas went even further by adding an "advice" to the emperor: "We advise you, beloved Son, most serene Emperor, and exhort you with apostolic authority, that you may at last offer resistance to those who rise against the bishop of the church of Constantinople [scil. Ignatius] at their own discretion and interest and without canonical examination and without our foreknowledge, to depose the one and ordain the other without preparation. Unfortunately, this kind of dispute often arises in your Eastern churches. If something happens that could give rise to a schism, then it is advisable to deal with this matter by consulting our church, so that, as has already happened with regard to the sacred icons, what was considered proper and decided should be maintained by the authority of the Apostolic See. On the other hand what was put into action solely out of personal arbitrariness, out of ambition and contentiousness against the canonical statutes, and the resolutions of the synods without prior knowledge of the Roman church should be rejected by the strong arm of your piety, so that the glory of the holy church of

55. Nicolaus I, *Epistolae* (quoted n. 5), ep. 85, pp. 442–6. Cf. *Regesta Imperii* I, 4, 2 no. 569, Regesta Imperii Online, http://www.regesta-imperii.de/id/e1ca0b20-0582-4d64-87de-75ddb3d1dd8a

56. On the so-called Πρωτοδευτέρα σύνοδος see C. Hefele, *Conciliengeschichte. 4, Die Synode zu Constantinopel im J. 814 bis zum Tode Alexanders II. 1073.*, Freiburg 1879, pp. 240 sq. Stiernon, *Constantinople IV* (quoted n. 52), p. 50, Dvornik, *The Photian schism* (quoted n. 34), p. 99.

57. *Negotium contra praeceptum nostrum improvide inlatam sententiam et nihil omnino nostris iussionibus saltem simile, sed magis contrarie perpetratam*: Nicolaus I, *Epistolae* (quoted n. 5), p. 443,20–2. Further down in the same letter Nicholas continued to follow the same line in the same arrogant tone: *Quod utique indiscretissimum factum sanctae nostrae ecclesiae nostroque apostolatui ac sanctorum patrum priscae definitioni omnimodis extat inconveniens*: *ibid.*, p. 444,1–3.

58. *Suspendentes videlicet sententiam expulsionis reverentissimi viri Ignatii vel Photii receptionis non in legatorum nostrorum, sed specialiter in nostro examine. Et quia nunc Photium retinentes prudentissimum virum Ignatium patriarcham absque nostri apostolatus eiecistis iudicio, nosse vos omnimodis volumus nullatenus nos Photium recipere vel Ignatium patriarcham damnare*: *ibid.*, p. 443,26–30.

God and of the imperial city under your government are not somehow impaired and diminished […]"[59]

As we see, Nicholas insisted in the validity of his claim that no examination should be made of the *causa Ignatii et Photii* without his personal authoritative decision. The pope demonstrated his claim that he had indeed the supreme canonical *potestas* to reject a decision even though it had been made unanimously by an unusually large assembly of bishops with the substantial participation of papal legates and in the physical presence of the emperor. In order to evaluate the practical meaning of this position we should keep in mind that for the imperial court and for the church of the East the issue had already been put *ad acta* because it was regarded as terminated through the previous decisions and that they consented to the reopening of it merely as a concession to the pope's pride and in the miscalculated hope that he would be appeased in order to recognize the election of the new patriarch. For the theme of this study it is also quite interesting to underline the pope's advice that the emperor should use his "strong arm" *(vestrae religionis brachio)* in order to forestall any action; of course, what was at stake was the election of Photius that in his opinion should be canceled by force. In other words, the coercion of the temporal power in church affairs is proposed as a legitimate action if it is in line with the pope's interests. In principle, there were no doubts about the propriety of the emperor's forceful intervention. It was a classical application of the principle "the end justifies the means."

Nicholas' letter brought a dead end to the negotiations and the Byzantines decided to leave his letter and the parallel letter to Photius unanswered. Under the pressure of Ignatius' friends who had come to Rome to seek for the pope's support, Nicholas convoked in 863 a synod in Rome at which he reconfirmed his own decision against Photius and in favor of Ignatius.[60] For our theme it is interesting that in chapter 4 of the synods' decisions an anathema was declared out against those who would contradict them and in this clause not only clergymen were included but also laymen, apparently even the emperor himself.[61]

59. *Ibid.*, p. 445,28–40: *Quin potius, serenissime fili Auguste, dilectionem vestram monemus, suademus atque apostolica auctoritate denuntiamus, ut tandem aliquando resistatis illis, qui pro libitu suae voluntatis contra Constantinopolitanae ecclesiae se praesulem erigentes sine examinatione canonica ignorantibus nobis crebro unum deponentes, alterum inopinate consecrare nituntur, unde haec discissio in orientalibus vestris ecclesiis, heu! Plurimum agitatur. Sed magis studeatis, quando aliqua emerserint unde schisma possit oboriri, nostrae ecclesiae consultu peragere, quatenus, sicut iam factum pro sanctis imaginibus novimus, quod iuste deliberatum est, maneat apostolicae sedis auctoritate firmatum; quod autem tantummodo aemulatione voluntatis contra canonicas vel synodicas censuras inconsulta Romana ecclesia perpetrari conatur, vestrae religionis brachio arceatur, ne videlicet sanctae Dei ecclesiae ac regiae urbis gloria vestro, quod absit, sub tempore in aliquo minuatur.*

60. W. Hartmann, *Die Synoden der Karolingerzeit im Frankenreich und in Italien*, Paderborn 1989, pp. 288 sq. The acts of this synod are preserved in two of Nicholas' letters (quoted n. 5): ep. 91, pp. 512–33.

61. *Si vero laicus extiterit ille, quisquis est huic nostrae constitutioni contrarie temptans, et eum sedem et omnem pristinam dumtaxat dignitatem recipere non permiserit vel si post receptam priorem sedem denuo illum impellere et a patriarchio expellere temptaverit vel personae ipsius seu sacerdotali honori aliquam molestiam sine primae sedis consensus intulerit, omni benedictione paterna privetur et maledictione Chanaan, filii Cham, qui verecundiam patris videns non cooperuit, sed irrisit, multetur et cum parricidis aeterna poena Domino iudicante percellatur et nexibus anathematis nonnisi resipiscens penitus cruatur*: Nicolaus I, *Epistolae* (quoted n. 5), p. 522,9–17.

However, one year later the emperor decided to write a letter to Rome in which he expressed his dismay at the decisions made at the synod of 863. It must have been a letter very severe in tone and harsh in content.[62] With this letter the emperor put an end to the soothing and appeasing attitude of Constantinople that had been applied until then towards the pope's refusal to recognize as canonical the election of Patriarch Photius in the hope of winning his consent. Michael was determined to stop Nicholas from using the *causa Ignatii* as a gate to manifest his claim to be the ultimate judge of all ecclesiastical affairs in East and West. This letter is not preserved but we can grasp some of the topics that were dealt with in it and imagine the tone in which it was written from the exceptionally long letter with which the pope responded to it. Thus we can surmise that Michael pointed out that there was no need for a second verdict in the case of Ignatius, who was judged in a canonically correct process and that it was merely a matter of courtesy that Constantinople had asked for the pope's consent in the first place, because the issue was not a dogmatical one and Rome's approval was superfluous. Consequently Photius would hold his office even without the pope's consent and the pope's support for Ignatius would not help him in any way.[63]

The response to the imperial letter, dated on 28 September 865,[64] is one of the products of the papal chancery that would have great impact in the time to come.[65] The content of this letter was exploited in the next centuries as instrumental for the effort to reach ecumenical enforcement of the primacy of the See of Rome.[66] In this letter we find a classic presentation of Rome's self-perception: "The privileges of the Roman church were founded by Christ upon Saint Peter and from antiquity were ordered and preserved, celebrated by the ecumenical councils and honored by the whole of Christendom. These privileges cannot be diminished, impaired or altered. No man's effort can remove what God has founded […] We repeat, eternal are these privileges. Their root is in God who has planted them. One can thrust against them, but not shift them, one can hurt but not destroy them. They have been there before your Empire and with God's grace they

62. Apparently in this letter to Nicholas Michael had used some impolite, even insulting expressions and metaphors about Rome and the Latin language used in the correspondence of the papal chancery. This style provoked the reaction that the imperial letter was *tota blasphemia, tota erat iniuriis plena*: Nicolaus I, *Epistolae* (quoted n. 5), ep. 88, p. 454,33. Cf. E. Chrysos, A war of languages? Greek and Latin in the confrontation between Pope Nicholas and Patriarch Photius, in *Per respirare a due polmoni : Chiese e culture cristiane tra Oriente e Occidente : studi in onore di Enrico Morini*, a cura di A. M. Mazzanti, R. Savigni e M. Caroli, Bologna, 2018 (in press).

63. Cf. *Regesten* 1, 1, no. 464, pp. 240–2.

64. Regesta Imperii I, 4, 2 no. 777: http://www.regesta-imperii.de/id/f296951f-5741-42f9-b45f-d00d138ab1c5.

65. That it was Anastasius Bibliothecarius who composed the letter without any involvement of the pope, is cleary said in the letter, Nicolaus I, *Epistolae* (quoted n. 5), p. 474,2–6. Cf. Perels, *Nikolaus I. und Anastasius Bibliothecarius* (quoted n. 5), p. 288. Haller, *Nikolaus I. und Pseudoisidor* (quoted n. 5), p. 76, maintains that the reference to the pope's health conditions was deliberately made in order to lay all the responsibility for the letter's content. Cf. Dvornik, *The Photian schism* (quoted n. 34), p. 105.

66. Perels, *Papst Nikolaus I. und Anastasius Bibliothecarius* (quoted n. 5), p. 153: "Für das Ansehen, das diese päpstliche Staatsschrift in der kirchenrechtlichen Theorie gewann, spricht die Tatsache, daß in Gratians Dekret vierundzwanzig Stellen daraus verwertet sind."

remain intact and they will remain after you […] These privileges were granted to our church by Christ, not by synods, which merely have celebrated and venerated them."[67]

This Roman declaration in the form of a response highlights and documents in a comprehensive way, as never before, the papal position in the ongoing rivalry and confrontation between Old Rome and New Rome. In it we observe the pope's determined attitude, even by making use of insulting expressions against the East, and also with the frequent application of the difference between "we" and "you," *nos* and *noster* versus, *vos* and *vester*.[68] It is obvious that the author of the letter is keen to underline the differences and to exhibit the advanced alienation between Rome and Constantinople. Nicholas used the opportunity for insulting Constantinople as the product of imperial force to the detriment of other cities, whose treasures and relics have been stolen from elsewhere.[69]

He further refuses to abide by the emperor's demand that those Greek monks should be sent back who had taken action against him *(vestrae augustalis iniuriatores excellentiae)* and responds as follows: "We have the *potestas* and the *ius* to call not only monks but any clergyman from any diocese when the ecclesiastical order requires. This is our right. But you and all the pious emperors have no right to summon monks unless you want to show compassion for them or listen humbly to their prayers."[70]

In his conclusion, especially concerning the *jus convocandi* of councils, Nicholas urged the emperor to imitate the best of his predecessors, who had been mentioned earlier with their names: "All of them had expressed their love and adoration towards the *Sedes Apostolica*, took care to enrich her privileges with gifts and benefactions, wrote honorable letters to her and satisfied her wishes and supported her plans."[71] He further insisted

67. *praesertim cum ecclesiae Romanae privilegia Christi ore in beato Petro firmata, in ecclesia ipsa disposita, antiquitus observata et a sanctis universalibus synodis celebrata atque a cuncta ecclesia iugiter venerata nullatenus possint minui, nullatenus infringi, nullatenus commutari; quoniam fundamentum, quod Deus posuit, humanos non valet amovere conatus et, quod Deus statuit, firmum validumque consistit, illeque potissimum peccat, qui Dei ordinationi resistere temptat. Privilegia, inquam, istius sedis vel ecclesiae perpetua sunt; divinitus radicata atque plantata sunt; impingi possunt, transferri non possunt, trahi possunt, evelli non possunt. Quae ante imperium vestrum fuerunt et permanent Deo gratias actenus illibata manebuntque post vos* […] *Ista igitur privilegia huic sanctae ecclesiae a Christo donate, a synodibus non donate, sed iam solummodo celebrate et venerata*: Nicolaus I, *Epistolae* (quoted n. 5), ep. 88, pp. 474,35 – 475,7.

68. K. Herbers, Papst Nikolaus und Patriarch Photios : das Bild des byzantinischen Gegners in lateinischen Quellen, in *Die Begegnung des Westens mit dem Osten : Kongreßakten des 4. Symposiums des Mediävistenverbandes in Köln 1991 aus Anlaß des 1000. Todesjahres der Kaiserin Theophanu*, hrsg. von O. Engels & P. Schreiner, Sigmaringen 1993, pp. 51–74, esp. pp. 58 sq.

69. *Quique non, postquam mortui sunt, Romam a principibus sunt delati, ut Romanae ecclesiae maiorem conferrent privilegiorum honorem sicuti apud vos non rationabiliter, sed potentialiter actum est, videlicet ut ecclesiae ceterae patronis suis privarentur et sola Constantinopolis spoliis et opibus, quas violenter abstulit, ditaretur*: Nicolaus I, *Epistolae* (quoted n. 5), ep. 88, p. 475,16–9.

70. *Potestatem et ius habeamus, non solum monachos, verum etiam quoslibet clericos de quacunque dioecesi, cum necesse fuerit, ad nos convocare atque ecclesiasticis exigentibus oportunitatibus invitare. Hoc quidem nostrum; vestrum autem et piorum imperatorum non est ullum penitus quaerendi monachos ministerium, nisi ad miserendum et orationes eorum submisse poscendum*: *ibid.*, p. 478,20–5.

71. *Quapropter attendat clementia vestra, quantus fuerit erga sedis apostolicae reverentiam antecessorum vestrorum, piorum dumtaxat imperatorum et praecipue quos longe superius memoravimus, amor et studium; qualiter eam diversis privilegiis extulerint, donis ditaverint, beneficiis ampliaverint; qualiter illam litteris suis honoraverint, eius votis annuerint, instituta perficienda mandaverint, orationes petiverint, fidem sectandam decreverint*: *ibid.*, pp. 484,38 – 485,2.

on pointing out that "the emperors have taken care with their laws for the unity of the churches with the Apostolic See and the convocation of councils, but they have never dictated the decrees of the councils in a peremptory way. Instead they have constantly asked and encouraged, and after the decisions were made approved and added their agreement, to the verdicts of the Councils."[72]

The pope expressed in addition his indignation at the fact that in the letter written in 860 the emperor had "*commanded*" him to send his legates.[73] He finds the word *iubere* as insulting and in contrast to the traditional attitude of previous emperors, like Honorius, Marcianus, Constantine IV and Constantine VI with Eirene, who preferred verbs such as *petimus, invitamus, dirigemus* or *rogamus*: "They wrote 'we ask,' 'we invite,' 'we request.' In this form they wrote to many popes and it was always in the same tone. But you have inherited their throne, but not the attitude and the respect. You are not their successors in matters of piety. Therefore you write 'we order,' 'we command,' 'we rule' that some of our subjects should be sent."[74] In order to reveal the attitude that is hidden under this complaint we should first consider the fact that while Constantine VI and Eirene indeed used the phrase *rogamus vestram paternam beatitudinem*, as cited in Nicholas's letter,[75] Pope Hadrian did not feel offended to mention this letter of the emperors as *iussiones vestrae*—κέλευσις, as was practiced in the traditional technical vocabulary in the imperial chancery.[76] Apparently the verb was not taken literally but as an expression of respect or devotion. On the other hand it deserves to be recorded that Pope Nicholas often himself used the verb *iubere* in his correspondence with ecclesiastical and political personalities. Thus he chose to use this particular verb when he wrote to several kings of France,[77] but he avoided doing this in his letters to the Byzantine emperor, although occasionally the tone was quite commanding. He also applied the verb when addressing archbishops and bishops[78] of the West. He did so even in an encyclical to the patriarchs of Alexandria,

72. *Qualiter etiam legibus suis pro adunandis ei ecclesiis promulgaverint, pro colligendis conciliis ac proferendis sententiis non imperaverint, sed precati et hortati solum extiterint et, quae illi decreverunt, ipsi consenserint et, quae illi damnaverunt, ipsi respuerint*: *ibid*., p. 485,2–5.

73. *Praeterea scripsistis iussisse vos quosdam, qui sub nobis existunt, mitti ad vos, quod longe est a piorum imperatorum affectu*: *ibid*., p. 457,34–5.

74. *Ibid*., p. 458,26–32: *O imperator, saltem nunc non agnoscitis, quam a priorum imperatorum pietate in hac re differatis et quam vox vestra ab eorum discrepet divinitus inspirata modestia? Illi quippe: petimus, invitamus ac rogamus, ecce sparsim ad sedis apostolicae praesules, sed pari pietate clamant. Vos autem, quasi non mansuetudinis et reverentiae, sed solius imperii eorum heredes effecti et in causa pietatis illos imitari nolentes, praecepisse, iussisse ac imperasse vos, ut quosdam subiectorum nostrorum ad vos mitteremus, asseritis*. It is indicative that Nicholas was interested in making the point that the bishops from Italy that he was asked to send as his legates were his subjects.

75. *ACO, ser. sec.* 3, 1, p. 5,19.

76. *ACO, ser. sec.* 3, 1, p. 119,18 (with p. 118,20).

77. Nicolaus I, *Epistolae* (quoted n. 5), ep. 5, p. 271,16, ep. 6, p. 272,17, ep. 12, p. 279,22, ep. 109, p. 625,11. One of them, Charles the Bald, addressee of several papal letters, had no difficulty to accept this parlance. Thus Charles wrote to Pope Nicholas in 866 confirming that *sanctam paternitatem vestram diligimus atque sacris iussionibus vestris oboedire desideramus*: *Die Konzilien der karolingischen Teilreiche, 860–874,* [MGH. Concilia 4], hrsg. von W. Hartmann, Hannover 1998, pp. 208–10. Cf. Regesta Imperii I, 4, 2 no. 801, http://www.regesta-imperii.de/id/a012dbe3-6eee-42cc-827f-d13c6833db3f.

78. Nicolaus I, *Epistolae* (quoted n. 5), ep. 66, p. 378,12 and 29, ep. 72, p. 401,31, ep. 99, p. 594,6, ep. 105, p. 616,17, ep. 110, p. 626,17, ep. 145, p. 663,7 and ep. 150, p. 666,19.

Antioch and Jerusalem.[79] Obviously Nicholas was sensitive on the application of a word otherwise common in regnal technical vocabulary because he was keen to manifest that he was functioning as the pastoral monarch of the world.[80] He would issue commands and orders to kings and bishops, but of course he would not accept any from anyone else.

At a central point of the letter Nicholas responds to a threat of military intervention that must have been hinted to in the imperial letter in connection with the issue of the Byzantine monks who had settled in Rome as refugees and were agitating in favor of Ignatius and condemning the emperor for his policy. It is revealing to see how the pope wraps up his argument at this point: "Finally, you write, we should change our current opinion, that means that we must follow your opinion by resembling Judas who betrayed the head, and by betraying the members. Otherwise you scare us with threat on threat. We have the impression that you are considering punishing our Fatherland and our City with a severe verdict. With the grace and the protection of Christ we were never frightened, and we are not frightened now. For we trust in the protection of the holy angels on its walls."[81]

This reference not only to the city of Rome but also to the *patria* manifests the pope's perception of the world of his age. Rome and the "Apostolic Republic" are a geographic and political entity distinct and far away from Constantinople and the Byzantine Empire. In other words, he implied that we may be on friendly terms as Christians but in fact we are strangers. He underlines this perception shortly thereafter when he pinpoints that "between you and us lies such a large gap, which everyday produces peoples, who cause not only minor injuries but dangerous situations for you. Therefore you should better take revenge on those enemies and not us."[82] In order to support his argument that Constantinople should turn her attention from Rome to other areas of Byzantine interest that were in fact under threat he considered it appropriate to mention the Byzantines' disastrous experience of the Arab invasions against Crete and Sicily as well as the occupation of many provinces of the Balkans *(non innumeras Graecis subiectas provincias)* and their churches as far as the suburbs of Constantinople.[83] It is obvious that

79. Nicolaus I, *Epistolae* (quoted n. 5), ep. 84, p. 442,22: *apostolica auctoritate vobis iniungimus atque iubemus.*

80. Congar, Nicolas I[er] (quoted n. 5), p. 396: "Sa conception du pouvoir papal est celle d'une monarchie pastorale."

81. *Postremo, nisi correxerimus consilium nostrum, videlicet ut illud iuxta consilium vestrum dirigamus, vel si non effecti similes Iudae, sicut ipse caput, ita quoque nos membra tradamus, interminationibus crebris deterrere nos et minitare videmini, tamquam sitis patriae et urbi nostrae ultimum exterminium illaturi. Quae nos Christo propitio atque custode* […] *sicut hactenus non timuimus nec modo timemus, credentes super muros eius angelorum custodiam*: Nicolaus I, *Epistolae* (quoted n. 5), ep. 88, p. 479,1–7.

82. *Praesertim cum inter nos et vos non modica sit intercapedo, quae quotidie populos non pauxillas vobis iniurias, imo discrimina inferentes producit, et de his vos conveniat potius quam de nobis ulcisci*: *ibid.*, p. 479,23–9.

83. *Ibid.*, ep. 88, pp. 479–80,3. The reference to the occupied provinces as Greek is in accordance with the usage applied in Rome where since the eighth century the Empire of Constantinople had been labeled Greek and not Roman. Cf. C. Gantner, The label "Greeks" in the papal diplomatic repertoire in the eighth century, in *Strategies of identification : ethnicity and religion in early medieval Europe*, ed. by W. Pohl & G. Heydemann, Turnhout 2013, pp. 303–49 and Id., *Freunde Roms und Völker der Finsternis : die päpstliche Konstruktion von Anderen im 8. und 9. Jahrhundert*, Wien 2014; M. Maskarinec, Who were the Romans? Shifting scripts of Romanness in early medieval Italy, in

in this part of the letter Nicholas was mapping the current geopolitical situation with a focus on safeguarding the separation of the political spheres of East and West. He could not hide, and in fact did not want to hide, his satisfaction that Rome had been for more than a century no longer subject to Constantinople. This of course did not prevent him from demonstrating powerfully his claim of primacy over the entire Christian world, as well as the Byzantine Empire.

Last but not least we should notice that at the very end of two letters, ep. 88 to the emperor Michael and ep. 91, the encyclical letter to all the ecclesiastical leaders of the East, a note was added that banned under anathema those who would conceal parts of the letter or alter it in the translation into Greek.[84] This undiplomatic, one can say tactless warning, attached to official letters to the emperor or to the church leaders is to be understood in the background of accumulated complaints in Latin documents describing the addresses sent to the East as being victims of malicious falsification with the phrase *falsata Graecorum more* to characterize this phenomenon.[85] We observe that in many of these cases the documents that were registered as victims of falsification were products of the Roman chancery at the time when Anastasius Bibliothecarius was at the head of the papal *scrinium.*[86] It was in this context that Anastasius Bibliothecarius did not hesitate in 871 to characterize Photius as a *falsarius falsidicorum.*[87]

Apparently, the possibility of deliberately altering or corrupting texts in crucial cases was real indeed, and the Byzantines certainly did not fail to acquire the expertise for such

Post-Roman transitions : Christian and Barbarian identities in the early medieval West, ed. by W. Pohl & G. Heydemann (Cultural encounters in late antiquity and the Middle Ages 14), Turnhout 2013, pp. 297–363 and M. Dubuisson, GRAECVS, GRAECVLVS, GRAECARI : l'emploi péjoratif du nom des Grecs en latin, in *Quelques jalons pour une histoire de l'identité grecque : actes du colloque de Strasbourg, 25–27 octobre 1989*, éd. par S. Saïd, Leiden 1991, pp. 315–335; L. Sarti, From Romanus to Graecus : the identity and perceptions of the Byzantines in the Frankish West, in *Journal of medieval history* 44, 2018, pp. 131–50. See further E. Chrysos, Γραικοί και Ρωμαίοι στην αναμέτρηση Ανατολής και Δύσης τον 9ο αιώνα, in *Έλλην, Ρωμηός, Γραικός : συλλογικοί προσδιορισμοί και ταυτότητες*, ed. O. Katsiardi *et al.*, Athens 2018 (in press).

84. *Quisquis autem hanc epistolam nostrum Constantinopoli legerit et Augustissimo filio nostro imperatori Michaheli quicquam ex his, quae in ea scripta sunt, occultaverit, si locum apud illum potest invenire sufficientem, anathema sit. Quisquis etiam interpretatus eam fuerit et ex ea quicquam mutaverit vel subtraxerit aut superaddiderit, praeter illud, quod idioma Graecae dictionis exigit vel interpretanti Scientia intellegendi non tribuit, anathema sit*: Nicolaus I, *Epistolae* (quoted n. 5), ep. 88, p. 487,18–23 and ep. 91, p. 533,6–11.

85. The charge against the "Greeks" as being accustomed to falsifications went far back in history. An accusation of counterfeiting texts in the East had already being made by Pope Gregory I in a letter of the year 594. In this letter he denounced the East for including the famous 28th canon in the Acts of the Council of Chalcedon *sicut Chalcedonensis synodus in uno loco ab ecclesia Constantinopolitana falsata est*: *Gregorii Magni Registrum epistularum. 1, Libri I-VII*, ed. D. Norberg, Turnholti 1982, VI 14, p. 383,32–3. Cf. http://www.unifr.ch/bkv/kapitel4250.htm#3.

86. This theme deserves further and comprehensive investigation. Cf. E. Lamberz, „Falsata Graecorum more"? Die griechische Version der Briefe Papst Hadrians I. in den Akten des VII. Ökumenischen Konzils, in *Novum Millenium : studies on Byzantine history and culture dedicated to Paul Speck 19 December 1999*, ed. by C. Sode & S. Takács, Aldershot 2001, pp. 213–29.

87. *Anastasii Bibliothecarii Epistolae sive praefationes*, edd. E. Perels & G. Laehr (MGH. Ep. 7), Berolini 1928, pp. 395–442, here p. 406,26; cf. *Gesta sanctae ac universalis octavae synodi quae Constantinopoli congregata est Anastasio Bibliothecario interprete*, rec. C. Leonardi, Firenze 2012, p. 12,156.

alterations.[88] Thus some passages of papal letters that were recited at synods seem to have been consciously disregarded and/or left out when they were considered out of topic or inappropriate to the argument under particular circumstances.[89] One gets the impression that in Pope Nicholas' and certainly in Anastasius' mind the fear of falsification of his letters was imminent. Furthermore, the blame of forgery was traditionally applied as an arrow in Rome's quiver against the East, because the thought prevailed that their Byzantine counterparts were accustomed to forging papal letters. This atmosphere of suspicion and doubt should be explained as a signpost of a convert war that was going on between the chanceries.

Meticulous research has shed light to the first appearances and the techniques of the actual instrumentalisation by the Roman chancery of the Collection of forgeries known as *Pseudo-Isidorian Decretals* that made their systematic appearance in the times of Nicholas I.[90] This collection of texts, acknowledged as the largest forgery in European history, was given the name *Pseudo-Isidorian Decretals* because an otherwise unknown

88. On the Byzantines' attitude to forgeries see F. Dölger, Urkundenfälscher in Byzanz, in Id., *Byzantinische Diplomatik*, Ettal 1956, pp. 384–402 (especially for Photius see p. 387); E. Vranoussi, Note sur quelques actes suspects ou faux de l'époque byzantine, in *La paléographie grecque et byzantine*, Paris 1977, pp. 505–17; see further A. Laiou & D. Simon, Eine Geschichte von Mühlen und Mönchen : der Fall von Chantax, in *Bullettino dell'Istituto di diritto romano* 91, 1988 [1992], pp. 619–76 (= Of mills and monks : the case of the mill of Chantax, transl. in A. Laiou, *Economic thought and economic life in Byzantium*, Farnham 2013, art. X). For the way forgeries were produced or appreciated in the Latin West see the six volumes of proceedings edited by Hort Fürmann under the title *Fälschungen im Mittelalter : internationaler Kongreß der Monumenta Germaniae Historica München, 16.-19. September 1986, 5 Textbände und 1 Registerband* (MGH Schriften 33), Hannover 1988–90; and *Fortschritt durch Fälschungen? Ursprung, Gestalt und Wirkungen der pseudoisidorischen Fälschungen : Beiträge zum gleichnamigen Symposium an der Universität Tübingen vom 27. und 28. Juli 2001*, hrsg. von W. Hartmann & G. Schmitz (Monumenta Germaniae Historica. Studien und Texte 31), Hannover 2002.

89. Nicolaus I, *Epistolae* (quoted n. 5), ep. 88, pp. 482,27 – 483,10.

90. On Nicholas' acquaintance and use of the *Decretals* see C. H. Föste, *Die Rezeption Pseudo-Isidors unter Nicolaus I. und Hadrian II.*, Leipzig 1881 and Haller, *Nikolaus I. und Pseudo-Isidor* (quoted n. 5). G. Hartmann, *Der Primat des römischen Bischofs bei Pseudo-Isidor*, Stuttgart 1930. A. V. Müller, Zum Verhältnisse Nicolaus' I. und Pseudo-Isidors, *Neues Archiv der Gesellschaft für ältere deutsche Geschichtskunde* 25, 1990, pp. 652–63. K. Zechiel-Eckes, Ein Blick in Pseudoisidors Werkstatt : Studien zum Entstehungsprozess der falschen Dekretalen : mit einem exemplarischen editorischen Anhang (Pseudo-Julius an die orientalischen Bischöfe, JK †196), *Francia* 28, 2001, pp. 37–90. Most recently Eric Knibbs has completed work on the process of building up the forged collection in his The interpolated Hispana and the origins of Pseudo-Isidore, *Zeitschrift der Savigny-Stiftung für Rechtsgeschichte. Kanonistische Abteilung* 99, 2013, pp. 1–71. See further the monograph of C. Harder, *Pseudoisidor und das Papsttum : Funktion und Bedeutung des apostolischen Stuhls in den pseudoisidorischen Fälschungen* (Papsttum im mittelalterlichen Europa 2), Köln 2014 and Ead., Der Papst als Mittel zum Zweck? Zur Bedeutung des römischen Bischofs bei Pseudoisidor, in *Fälschung als Mittel der Politik? Pseudoisidor im Licht der neuen Forschung : Gedenkschrift für Klaus Zechiel-Eckes*, hrsg. von K. Ubl & D. Ziemann (MGH. Studien und Texte 57), Wiesbaden 2015, pp. 187–206, at p. 175 she underlined Nicholas' reason for propagating the papal primacy: "Alle Fälschungen erweitern die apostolischen Befugnisse erheblich. Die jurisdiktionellen Kompetenzen Roms werden ausgebaut. Der Papst wird als unanfechtbares Oberhaupt einer streng hierarchisch organisierten Kirche installiert. Episkopat, Synoden und weltliche Machthaber werden seiner Autorität in kirchlichen Angelegenheiten bedingungslos unterstellt." Very concise and still useful is E. Seckel's entry "Pseudoisidor" in the *Realencyklopädie für protestantische Theologie und Kirche,* 3rd ed., vol. 16, 1905, pp. 265–307. Most recent S. Patzold, *Gefälschtes Recht aus dem Frühmittelalter : Untersuchungen zur Herstellung und*

and probably nonexistent Isidorus Mercator is named as its author in the preface. This corpus of fabricated texts includes more than 94 letters, allegedly written by popes of the first centuries in the form of *epistolae decretales*. Furthermore it contains forged imperial laws and decrees by Frankish rulers, as well as falsified acts and canons of councils.[91] In particular the acts of the Council of Chalcedon were focused victims of the forgers.[92]

I think it is useful to add that this impressive production of false documents was the work of brilliant and very erudite persons, and their achievement was possible only in an era of enlightenment and renaissance that was flourishing in the Frankish monasteries in the ninth century. The forgers of these texts did not create them from scratch, but after precise selection from countless authentic works, and, in a way, the composition is reminiscent of a mosaic with of all kinds of tesserae. So they chose passages from the Bible, the Roman and the Frankish legislation, excerpts from authentic letters of the popes, from the acts of councils and synods, from theological treatises and from historiographical works.[93] It is therefore not surprising that the authenticity of these documents was never put in doubt during the Middle Ages.[94]

A close look at the apparatus criticus of Ernest Perels' edition of Pope Nicholas's correspondence, especially at the dossier with the letters to the East, reveals to what extend these letters depend on the forged decretals. Once we realize that at critical points of the argument the pope exploited quotations from these documents we can decipher

Überlieferung der pseudoisidorischen Dekretalen (Schriften der Philosophisch-Historischen Klasse der Heidelberger Akademie der Wissenschaften 55), Heidelberg 2015.

91. The classical edition of the corpus of the *Decretals* was made by P. Hinschius under the title *Decretales Pseudo-Isidorianae et Capitula Angilramni*, ad fidem librorum manuscriptorum rec., fontes indicavit, commentationem de collectione Pseudo-Isidori praemisit P. Hinschius, Lipsiae 1863. See further http://www.benedictus.mgh.de/edition/edition.htm; http://www.documentacatholicaomnia.eu/03d/1863-1863,_Hinschius_Paul,_Decretales_pseudo_Isidorianae_et_Capitula_Angilramni,_LT.pdf. Digital processing and issuance ongoing edited by K.-G. Schon: http://www.geschichtsquellen.de/repOpus_03069.html; http://www.pseudoisidor.mgh.de/

92. Especially for forging Acts of Councils see C. Harder, Der Papst und die Excerptiones de gestis Chalcedonensis conciliis, in her book *Pseudoisidor und das Papsttum* (quoted n. 90), pp. 171–180. Cf. L. Wiegelmann, *Die Excerptiones de gestis Chalcedonensis concilii Pseudoisidors : Themen, Arbeitstechniken*, unpublished master's thesis submitted at the University of Cologne, on 14 Januar 2008; K. Zechiel-Eckes, Verecundus oder Pseudoisidor? Zur Genese der Excerptiones de gestis Chalcedonensis concilii, *Deutsches Archiv für Erforschung des Mittelalters* 56, 2000, pp. 413–46. Useful is still K.-G. Schon, Exzerpte aus den Akten von Chalkedon bei Pseudoisidor und in der 74 Titel-Sammlung, *Deutsches Archiv für Erforschung des Mittelalters* 32, 1976, pp. 546–57.

93. Generations of scholars have tried to identify the provenance of the excerpts from various sources, and they have succeeded in identifying most of them. However, this task has not been completely fulfilled yet because it is very difficult, since the forgers did not simply copy the selected passages, but they constantly adapted them using particular techniques in order to serve their objective. Thus in some cases it is very difficult to separate the forgeries from authentic texts.

94. Nicholas of Cues was the first to express some doubts in the fifteenth century until the forgery was revealed by a Calvinist theologian of Geneva, David Blondel, in 1628 with his book: *Pseudo-Isidorus et Turrianus vapulantes seu Editio et censura nova epistolarum omnium quas piissimis urbis Romae praesulibus : a Billemente ad Siricium… Isidorus cognomento Mercator supposuit, Franciscus Turrianus Jesuita… defendere conatus est… notis illustravit…* David Blondellus…1628. However, already in 1559, Mathias Flacius had raised substantial doubts: *Ecclesiastica historia, integram Ecclesiae Christi ideam… secundum singulas Centurias, perspicuo ordine complectens… ex vetustissimis historicis… congesta: Per aliquot studiosos et pios viros in urbe Magdeburgica.*

and make sense of the unprecedented behavior of Pope Nicholas towards the emperor. There is a close connection between the pope's aim to substantiate Rome's primacy in the quarrel known in church history as the "Photian schism" and the systematic exploitation of selected texts retrieved from the forged collection as authentic testimony.[95]

Thus in our attempt to explain the Roman chancery's argumentation we need to examine the techniques with which the testimony of forged documents was exploited and presented as *bona fide* authentic and how it was achieved to cite the *Pseudo-Isidorian Decretals* in such a systematic and highly sophisticated way that they served the pope's argument. I have reckoned that in the twenty-two letters written in the name of Pope Nicholas from September 860 to October 867, either to the Byzantine emperor, to Photius, or other persons in the East, a total of some forty passages were incorporated as quotations taken directly or indirectly from the forged documents. In what follows I shall mention as typical examples four such quotations that are adequate to support my argument:

First example: as we have seen, Pope Nicholas refused from the beginning of the quarrel to recognize Photius as patriarch because of his *subito* ordination. In order to support his argument Nicholas cited Canon 10 of the Synod of Serdica (343). However he added strength to his argument by quoting from forged papal decretals, which obviously Nicholas—or rather Anastasius—must have retrieved from the corpus of the *Pseudo-Isidorian Decretals*! Thus he copied from a letter which Pseudo-Isidore had forged under the name of an otherwise unknown Pope Gaius (allegedly of the third century), in which it is written that "if someone is granted being a bishop he must first go through all the degrees of priesthood" (which are listed).[96]

Second example: from this forged letter of Gaius, a sentence ruled that "any difficult questions that appear in individual provinces must always be reported to the Apostolic Sedes."[97] This plain but very crucial canonical rule is repeated in ten more quotations in the letters of Nicholas to the East, all of them taken *verbatim* from the Collection of *Pseudo-Isidorian Decretals*. Other similar texts, all excerpts from fake letters of the popes Anacletus, Julius, Vigilius and Pelagius II, were invoked to support as generally accepted decision of the early church that all major decisions (the *causae maiores*) should be taken by the pope and that to this category of difficult or major decisions there should be included all disputes about the legality of electoral procedures of bishops.[98] All these texts claim that the pope is authorized to take the final decision in person.

95. Dvornik, *The Photian schism* (quoted n. 34), p. 106 suggests one should not exaggerate the influence of the forged *Decretals* "on the evolution of Nicholas' ideology."

96. *Si quis episcopus esse mereretur sit prime hostiarius, deinde lector, praeterea exorcista, inde sacretur accolitus, demum vero subdiaconus, deinde diaconus et postea presbiter, et exinde, si meretur episcopus ordinetur, Gaii papae ad Felicem episcopum*, chap. VII: *Decretales Pseudo-Isidorianae* (quoted n. 91), p. 218. Cf. *Liber pontificalis*, ed. Th. Mommsen (MGH. Gesta pontificum Romanorum), Berlin 1898, p. 39.

97. *Et quaecumque difficiles quaestiones per singulas provintias exorte fuerint, semper ad sedem apostolicam referantur*: *Decretales Pseudo-Isidorianae* (quoted n. 91), p. 218.

98. Julius to the Oriental bishops: *Et sicut beatus Petrus apostolus primus fuit omnium apostolorum, ita et haec ecclesia suo nomine consecrata domino instituente prima et caput sit ceterarum, et ad eam quasi ad matrem atque apicem omnes maiores ecclesiae causae et iudicia episcoporum recurrant eiusque iuxta terminum sumant sententiam, nec extra Romanum quicquam ex his debere decerni pontificem, quatenus non*

When we study the evolution of the conflict of Nicholas with Michael and Photius we realize that the core of the dispute was the constant and absolute claim of Nicholas to be the one who was entitled to take the ultimate decision on the issue of the deposition of Ignatius and the election of Photius. However this persistent claim was in the eyes of the Byzantines unfounded and thus incomprehensible, because they knew of no canons supportive of that demand. On the grounds of the valid canon law that was more or less common in East and West until the eighth century, this papal insistence was found unprecedented and remained incomprehensible down to the end of the quarrel. Initially the Byzantine emperor Michael III and Patriarch Photius had made a series of concessions in matters of protocol and procedures in order to satisfy, as they thought, the pope's wishes, until they came to the conclusion that there was no remedy and decided to refuse any further dialogue, since Nicholas insisted to be accepted as the ultimate judge, in implementation of aspirations based on the forged documents.

The third example is connected with the second: in his letter to Emperor Michael in 865 Anastasius tried in the name of Nicholas[99] with a sequel of sophisms and in an polemical tone to interpret the meaning of Canons 9 and 17 of the Ecumenical Council of Chalcedon in 451 in favor of Rome's primacy. These canons provided that in the case of a dispute between a bishop and the metropolitan of his province, the first step should be an intervention of the exarch of the dioecesis (this means either the bishop of Caesarea of Cappadocia, as the exarch of Pontica, or the bishop of Ephesus, as the exarch of Asiana or the bishop of Herakleia of Thrace, as exarch of Thracica). If such an intervention did not bring a solution, then, as in an ultimate instance, the case should be submitted to the bishop of Constantinople: thus Canon 9 of the Council of Chalcedon decrees: "If a bishop or clergyman should have a difference with the metropolitan of the province, let him have recourse to the exarch of the Diocese, or to the throne of the Imperial City of Constantinople, and there let it be tried."[100]

Pope Nicholas mentions the ninth canon, but he makes a complex addition to it in order to alter its content, to the effect that both the reference to the exarch of the diocese and to the throne of the bishop of Constantinople was distorted in order to refer not to the throne of Constantinople, but to that of the bishop of Rome. Thus he writes: *Quem autem primatem dioceseos sancta synodus dixerit praeter apostoli primi vicarium, nullus penitus intellegitur. Ipse est enim primas, qui et primus habetur et summus*.[101]

ita proterve et pro libitu cuiusquam suo proprio arbitrio, quibusque metropolitanis, sicut agere solebant, liceat inconsulto Romano pontifice aut maiores ecclesiae causas deturbare aut episcopos dampnare: *ibid*., p. 459.

99. See *supra*, n. 65.

100. Εἰ πρὸς τὸν τῆς ἐπαρχίας μητροπολίτην ἐπίσκοπος ἢ κληρικὸς ἀμφισβητοίη, καταλαμβανέτω ἢ τὸν ἔξαρχον τῆς διοικήσεως ἢ τὸν τῆς βασιλευούσης Κωνσταντινουπόλεως θρόνον, καὶ ἐπ' αὐτὸν δικαζέσθω. Similarly, Canon 17 reiterates that εἰ δέ τινες ἀδικοῖντο παρὰ τοῦ ἰδίου μητροπολίτου, ἢ παρὰ τῷ ἐξάρχῳ τῆς διοικήσεως ἢ παρὰ τῷ Κωνσταντινουπόλεως θρόνῳ δικαζέσθωσαν, καθὰ προείρηται. *Conciliorum Oecumenicorum decreta*, cur. J. Alberigo *et al.*, Basileae 1962, p. 67. The English translation in https://sourcebooks.fordham.edu/basis/chalcedon.asp

101. Nicolaus I, *Epistolae* (quoted n. 5), ep. 88, p. 471,15–7. In the letter no. 69 addressed to Charles the Bold in January 865 an earlier attempt was made by Pope Nicholas, based again on false Decretals, to switch the meaning of Canon 9 of the Council of Chalcedon through the revealing addition that the option of appellation to the bishop of Constantinople ought to be enlarged to include the bishop of the city of Romulus (!): *Quid tamen nulli dubium est multo magis apud Romuleanam*

Now it is revealing that this deliberate falsification of Canon 9 was more than a clever concoction at Pope Nicholas' chancery, where Anastasius Bibliothecarius was in office, as has been thought until now.[102] It was in fact retrieved from the *Pseudo-Isidorian Decretals*. For it is the fake letters of Pope Anacletus (first century) and Pope Anicetus (second century) that assert that "If someone suspects his metropolitan bishop the case should be introduced to the exarch of the dioecesis or to this apostolic seat."[103] This means the See of Rome!

Furthermore in a forged letter of Pope Victor I (189–99) we find the assertion that according to the Apostolic Constitutions, "If someone feels threatened by his metropolitan, the decision must be referred to the exarch or to the universal Apostolic Sedes."[104] Finally, an echo of the regulation in Canon 17 is found in the following manipulated passage of the *Pseudo-Isidorian Decretals*. In the fake letter of Pope Julius to the bishops in the Orient we read: *Nam si ipse metropolitanum aut iudices suspectos habuerit aut infestos senserit, apud primatem dioceseos aut apud Romanae sedis pontificem iudicetur*.[105] This is an intelligent shifting of the meaning!

The fourth and last example is particularly enlightening for the impasse to which the dialogue between East and West was brought due to the new dynamics of power balance projected through the *Pseudo-Isidorian Decretals*. When the controversy between Nicholas and Photius reached a dead end in 866 and Photius exposed in an encyclical to the Eastern patriarchates many differences between the two churches, especially the question of the Filioque, as a serious deviation from the orthodox teaching of the ancient church, Nicholas turned his attention to the kings and the bishops of the Frankish kingdom asking them for their forceful support in attacking the East with statements and treatises *contra Grecos*, against the Easterners and their beliefs and customs.[106] Among the theologians who responded to the papal request was Ratramnus, the renowned scholar and abbot of the monastery of Corbie, who based his argumentation primarily on the corpus of the Pseudo-Isidorian forgeries,[107] which most probably was composed in Corbie, in order to respond to the complaints of Photius on the doctrinal issue. He did it by quoting profusely excerpts from forged texts from patristic literature, such as Athanasius

urbem quam apud Constantinopolitanam esse penitus observandum, Nicolaus I, *Epistolae* (quoted n. 5), ep. 69, p. 385,23–5.

102. Hergenröther, *Photius* (quoted n. 32), vol. 1, p. 568, note 92 admits that "der Papst erklärt den Canon sicher nicht richtig nach dem Sinne, den man in Chalcedon intendirte."

103. *Si aliquis episcoporum proprium metropolitanum suspectum habuerit, apud primatem dioceseos aut apud hanc apostolicam sedem audiatur*: *Decretales Pseudo-Isidorianae* (quoted n. 91), p. 121. Cf. Hincmarus Laudunensis, *Pittaciolus*, in *Die Streitschriften Hinkmars von Reims und Hinkmars von Laon*, hrsg. von R. Schieffer (MGH. Concilia 4, Suppl. 2), Hannover 2003, Cap. 4, p. 67,38: *Similiter si aliquis episcoporum proprium metropolitanum suspectum habuerit, apud primate dioceseos aut apud hanc apostolicam sedem audiatur*.

104. Chap. 6: *et alibi in statutis legitur apostolicis: Si quis putaverit se a proprio metropolitano gravari, apud patriarcham vel primatem dioceseos aut poenes universalis apostolicae aecclesiae iudicetur sedem*: *Decretales Pseudo-Isidorianae* (quoted n. 91), p. 128. This assertion is repeated verbatim in another forged letter, allegedly written by Pope Sixtus (mid third century) [chap. 3: *ibid.*, p. 190].

105. *Decretales Pseudo-Isidorianae* (quoted n. 91), p. 469.

106. Nicolaus I, *Epistolae* (quoted n. 5), ep. 100, pp. 601–9. Cf. Chrysos, A war of languages (quoted n. 62), pp. 325 sq.

107. Harder, *Pseudoisidor und das Papsttum* (quoted n. 90), pp. 224 sq.

of Alexandria, in order to support the primacy of the pope as the supreme ecclesiastical authority. The relevant excerpts are long and tedious. Therefore I will limit myself to one passage: “All the churches of the East together with the churches of the West have always respected the bishop of Rome as head of the bishops, followed his decisions and in case of doubt they obeyed whatever he decided. Those synods that were endorsed by him retained their power and those he condemned were considered void and lost their reputation and could have no authority.”[108] This revolutionary claim that ruled for any episcopal meeting, wherever it is convoked, to have the approval of the pope, who decides as the ultimate judge, was a central objective of the *Pseudo-Isidorian Decretals* and in this treatise of Ratramnus was for the first time applied to the conflict with the East.

These examples manifest, I should think, that in the ecclesiastical relations between East and West Rome ceased to apply the common traditional canon law for the basic functions of the synod as an institution that administered the jurisdiction of the thrones, as had been valid until the eighth century. With the fabrication of the *Pseudo-Isidorian Decretals* and their implementation in the West the tissue was ruptured and the common canonical foundation collapsed. In the eleventh century the *Decretals* as well as many key quotations from the correspondence of Pope Nicholas became the common basis of the *Corpus juris canonici* of the West, as they passed into the famous *Concordia discordantium canonum*, better known as the *Decretum Gratiani*. Essentially the unity between East and West had already come to an end.

The reader of this study may wonder what was the reaction of the East once the forged documents appeared in the market of theological arguments and upset the interface that had existed on the basis of the common tradition. The answer is very simple: The forgeries were never unveiled either in the West or the East and the assertions that were based on these texts may have provoked suspicion and amazement but none condemned them as deliberate forgeries. In the East people must have felt that suddenly they were confronted with documents and ideas that they did not happen to be acquainted with hitherto. Thus Photius, in an early letter to Pope Nicholas, his so-called apology, made an effort to excuse und justify himself and the East for not abiding by the pope’s commands because, as he says, he was not aware of their existence. It is an illuminating statement in the form of three questions: “Which are the canons that we disobey? Those ones that the church of Constantinople never received? For there is a transgression only if they are received to be safeguarded. But it is not a crime if those that were not received are not followed.”[109]

108. *Et revera omnes Orientales Ecclesiae, simul et Occidentales, Romanae civitatis praesulem semper quasi Caput episcoporum venerati sunt, et ad eius sententiam respexerunt, et de rebus dubiis quaecunque decrevit eius iudicium sustinuerunt, illiusque decreto paruerunt. Quaecunque concilia eius sententia roborata sunt, rata manserunt, quae vero damnavit, pro nihilo reputata fuerunt, nec auctoritatem ullam habere potuerunt*: Ratramnus, *Contra Graecorum opposita* IV 8, *PL* 121, col. 337. Cf. P. Gemeinhardt, *Die Filioque-Kontroverse zwischen Ost- und Westkirche im Frühmittelalter* (Arbeiten zur Kirchengeschichte 82), Berlin 2013.

109. Ποῖοι δὲ καὶ κανόνες ὧν ἡ παράβασις, οὓς μέχρι καὶ τήμερον ἡ Κωνσταντινουπολιτῶν ἐκκλησία οὐ παρείληφεν; ἐκείνων λέγεται παράβασις, ὧν ἡ φυλακὴ παραδέδοται· ἃ δὲ μὴ παραδέδοται, οὐδὲ μὴ φυλασσόμενα παραβάσεως φέρει ἔγκλημα: *Photii Patriarchae Constantinopolitani Epistulae et Amphilochia. 3, Epistularum pars tertia*, rec. B. Laourdas & L. G. Westerink (Teubner), Leipzig 1985, ep. 290, a. 861, p. 128, ll. 128–31.

However, what in the beginning was perceived by the people in the East as an arrogant and unacceptable attitude of the bishop of Rome, must have puzzled them and may have exercised some sort of influence that still needs to be investigated. Photius is associated with two very important codifications of law. One is an older collection called *Nomocanon in fourteen titles*, which has possibly been augmented[110], actualized and reedited by Photius in 883.[111] The second is known as the *Eisagoge*, <Εἰσαγωγή τοῦ νόμου> an "Introduction to the law" that appeared shortly thereafter without ever becoming an official legal codex of the empire,[112] Patriarch Photius seems to have worked on its compilation, and most probably composed the preface and the two crucial sections dealing with the position and the powers of the Byzantine emperor and the patriarch; notably, the powers of the patriarch appear in these chapters of the *Eisagoge* to be broader than they were defined in Justinian's legislation, both with regard to the emperor as well as towards the patriarchates of the East. There is good reason to suppose that these law books may have been in some way Photius' response to the new situation that was created by the literary initiatives at Corbie and Rome's systematic effort to impose their implementation in real life.[113]

Andreas Schminck, the late erudite scholar of the Frankfurt school of the history of Byzantine law, shortly before he died, entrusted me with reading a manuscript that he had been working on for many years under the title *Ex Occidente lux? Zu den lateinischen Wurzeln der Zwei-Gewalten-Lehre des Patriarchen Photios*.[114] This study is extensive in size (about 21,000 words) but unfortunately it was left in an unfinished form when the author passed away on 15 December 2015. The last part with the conclusions of a lengthy but incompleted argument is missing. From the major part that he had completed we see

110. In the second preface to the Nomocanon there is clear reference to νομικαὶ ῥήσεις that were added during the second edition: Π. Μενεβισογλου [P. Menevisoglou], *Ἱστορικὴ εἰσαγωγὴ εἰς τοὺς κανόνας τῆς Ὀρθοδόξου Ἐκκλησίας*, Στοκχόλμη 1990, p. 85.

111. Nomocanon in 14 titles, S. Troianos, *Die Quellen des byzantinischen Rechts*, Berlin 2017, § 5.7.3, p. 267. Doubts to the Photian authorship of the second edition of the *Nomocanon* have been brought up first by K. E. Zachariä von Lingenthal, *Die griechischen Nomokanones*, St.-Pétersbourg 1877 and recently by B. H. Stolte, A note on the un-Photian revision of the Nomocanon XIV Titulorum, in *Analecta Atheniensia ad ius Byzantinum spectantia*, hrsg. von. S. Troianos, Athens 1997, pp. 115–30 and Id., In search of the origins of the Nomocanon of the Fourteen Titles, in *Byzantine law : proceedings of the international symposium of jurists, Thessaloniki 10–13 December 1998*, Thessaloniki 2001, pp. 183–94.

112. A. Schminck, *Studien zu mittelbyzantinischen Rechtsbüchern*, Frankfurt 1986, pp. 4–15. A different approach in T. E. van Bochove, *To date and not to date : on the date and status of Byzantine law books*, Groningen 1996.

113. M. Th. Fögen, Reanimation of Roman law in the ninth century : remarks on reasons and results, in *Byzantium in the ninth century : dead or alive?*, ed. by L. Brubaker, Aldershot 1998, pp. 11–22.

114. At the end of the unfinished manuscript is the following note: "Der vorliegende Aufsatz sollte ursprünglich in *Cupido legum*, der Festschrift für Dieter Simon anlässlich seines 50. Geburtstages am 7. Juni 1985, erscheinen. Nun hat er sich – wie viele andere Arbeiten des Verfassers – um einige Jahrzehnte verspätet. Aber: Siehe, meine Tage sind einer Hand breit vor dir, und mein Leben ist wie nichts vor dir. Ἰδού, παλαιστὰς ἔθου τὰς ἡμέρας μου, καὶ ἡ ὑπόστασίς μου ὡσεὶ οὐθὲν ἐνώπιόν σου. Ecce, breves posuisti dies meos, et vita mea quasi non sit in conspectu tuo. (Psalm 39 [38].6)." With the permission of Karin Schminck, his wife, and after consultation with Dieter Simon, his mentor, the article of Andreas Schminck will appear in its original form in the periodical volume *Byzantina symmeikta*, volume 28 (in press).

that Schminck's main intention was to prove that Photius was aware of the new canonical rules established in the West and that in the two legal collections in which he played some important role, the *Eisagoge* and the *Nomocanon in 14 titles*, he made a deliberate effort to imitate the trend that had emerged in the West; hence the title *Ex Occidente lux*. In Schminck's interpretation, Photius' aim was to establish a more functional balance of the two powers by strengthening the position of the patriarch vis-à-vis the power of the emperor.[115] According to Schminck, chapter 11 of the entry on the πατριάρχης in the *Eisagoge* highlights and enhances the patriarch's role as the supreme spiritual guardian of all faithful (πρόνοια τῶν ψυχικῶν ἁπάντων) and thus places him as one who is entitled to judge on the right faith of all the members of the church, including the emperor who consequently is also eligible to be banned.[116] In addition Schminck cites chapter 9 as a cautious effort to imitate for the churches of the East the pope's aspiration to function as supreme arbiter in controversies among bishops in any other ecclesiastical district.[117]

There is no doubt that in the course of time and for historical reasons the position of the ecumenical patriarch in the Orthodox church allowed him to assume more and more responsibilities, and thus he accumulated great power. On the other hand, the inclination to emulate the monarchic position of the bishop of Rome, as it was defined in the *Pseudo-Isidorian Decretals*, must have been, I imagine, a constant temptation for every bishop of the imperial city. Thus when Gilbert Dagron concludes that "in the structures specific to the East, the emperor of Constantinople occupied almost the same place as the pope of Rome,"[118] he actually refers to the situation that Photius was tempted to try to upset, by amending the existing structure towards a more balanced division of power. But he failed. The *Eisagoge* never reached the status of an official law code and he even had to pay for his initiative with his second deposition. With such powerful and self-conscious emperors like Leo VI, there was no chance for such a crucial change. The

115. "In Wahrheit aber weist Photios dem Patriarchen eine bedeutendere Rolle als dem weltlichen Oberhaupt zu, was sich schon äußerlich daran zeigt, dass der Titel über den Patriarchen umfangreicher ist als derjenige über den Kaiser."

116. In Schminck's words, "im 11. und letzten Kapitel wird dem Patriarchen die „Fürsorge" („πρόνοια") für „alle seelischen Angelegenheiten" („τῶν ψυχικῶν ἁπάντων") zugewiesen; er allein ist „Beurteiler" und „Schiedsrichter" („διαιτητής τε καὶ γνώμων") in Bezug auf „Reue und Umkehr von Sünden und Häresien" („μετανοίας καὶ ἐπιστροφῆς ἀπό τε ἁμαρτημάτων καὶ αἱρέσεων"). Damit wird ihm – auch und gerade im Hinblick auf den Kaiser – nicht nur die alleinige Kompetenz der Beurteilung der Rechtgläubigkeit zugebilligt, sondern sogar die Berechtigung der Auferlegung von Bußen."

117. "Von besonderer Bedeutung für das Verhältnis zum Papsttum ist das 9. Kapitel, wo es heißt, dass Synodalbeschlüsse den – durch das Kaisertum geschmückten – Thron von Konstantinopel zum obersten Thron erhoben hätten; diesen Synodalbeschlüssen seien die göttlichen Gesetze („οἱ θεῖοι νόμοι") gefolgt, indem sie angeordnet hätten, dass die in dem Herrschaftsbereich der anderen Throne entstehenden Streitigkeiten dem Urteil des konstantinopolitanischen Thrones unterbreitet werden müssten. Derartige Synodalbeschlüsse und (weltliche) Gesetze (denen Photios hier ausnahmsweise das Epitheton „θεῖοι" zubilligt) existierten nicht, aber das Kapitel ist so geschickt formuliert, dass es sich, aus dem Zusammenhang gerissen, auf den Thron des Kaisers zu beziehen und insofern keinen Anstoß zu erregen scheint. – In engem Zusammenhang damit steht das 10. Kapitel, in dem den Patriarchen ein weitgehendes Jurisdiktionsrecht in den Grenzen ihrer Patriarchate zugesprochen wird, dem Patriarchen von Konstantinopel aber erneut die Befugnis, in anderen Patriarchaten gefällte Entscheidungen zu überprüfen."

118. *Emperor and priest*, p. 311.

young emperor upon his ascension to the throne in 886, decided to depose Photius for no apparent reason and to elevate to the patriarchal throne his own brother Stephanos who at the time of his ordination was not more that 19 years old.[119]

However there is no evidence whatsoever that the patriarch's augmented power and his dominating responsibilities in the East that we observe in later periods were in any way strengthened, directly or indirectly, by the impact of the Pseudo-Isidorian forgeries in the West. Although Constantinople was of course constantly confronted with the new attitude of the popes, in the East, as far as I can see, there is no trace of the forgeries that had produced this attitude.

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Postscriptum: On August 15, 2015 I received an email from Andreas Schminck with the question: "Hast Du schon erfahren, dass Gilbert Dagron gestorben ist? Ich habe ihn sehr geschätzt. Kann man eigentlich „Καλή Κοίμηση" wünschen?" They both deserve to be kept in our memories.

119. E. Chrysos, Minors as patriarchs and popes, in *Prosopon Rhomaikon : ergänzende Studien zur Prosopographie der mittelbyzantinischen Zeit*, hrsg. von A. Beihammer, B. Krönung & C. Ludwig (Millennium-Studien 68), Berlin 2017, pp. 221–39, at pp. 226–9.

ABSTRACTS/RÉSUMÉS

Dominique Barthélemy, *Empereurs et chevaliers : les frères de Hainaut devant Constantinople et Philippopoli (1203-1208)* p. 795

The two sons of Count Baldwin V of Hainaut, Baldwin and Henry, were brought to the East by the Fourth Crusade and successively became Latin emperors of Constantinople. The very dense *Chronicle* of Gislebert of Mons suggests that they were trained in classical chivalry, more elegant than truly practical. In their new milieu they faced harsher wars, and had to reconcile the tenets of loyalty and bravery with the prudence required of leaders. We examine here the story of Baldwin's behavior in 1203 under the walls of Constantinople, as told by Robert of Clari, and that of Henry's successive attitudes in 1208 during his campaign against the Vlachs, as told by Henry of Valenciennes.

Albrecht Berger, *Toponyms of Byzantine Constantinople: topography and etymology* p. 157

The etymology of place names takes a central role in the topographical and patriographical literature on Constantinople. Toponyms are most commonly derived from a real or an imaginary founder, but such traditions frequently provide the wrong information about the person. Identification of whether this is the result of a mistake, a misunderstanding, or a deliberate invention is often difficult. The alleged names of individuals provided in texts are, in turn, sometimes derived from toponyms or other designations. This contribution attempts to analyze this phenomenon and presents a survey of the different kinds of etymologies encountered within these texts.

Michel Cacouros, *L'*Éloge de saint Baras *(*BHG *212), « fondateur » du monastère du Prodrome à Pétra : pérégrinations à Constantinople à travers le manuscrit* Lesbou Leimônos *43* p. 567

The *Encomion* of St. Baras (*BHG* 212), the alleged founder of St. John Prodromos monastery at Petra (Constantinople), raises serious problems. P. Canart, X. Lequeux, and P. A. Yannopoulos examined some of them, but, as long as the only manuscript, *Leimonos* 43, and the menologium it contains (mentioned by A. Ehrhard) had not been studied, no comprehensive solution could be produced. The present article is based on the analysis of the Leimonos manuscript (the full palaeographical and codicological description is reserved for the forthcoming edition of the text) and the composition of the menologium. It studies the context in which the Leimonos manuscript and the *Encomion* were conceived, written, and used. This text was probably composed in Petra around 1280, when the monastery reopened after the Latin occupation of Constantinople, and added to the Leimonos' original core, probably copied around 1240–80 at the Hodegon monastery. The original manuscript contained, among others, texts related to the cult of St. John Prodromos, Petra's patron saint, and homilies by St. John Chrysostom, whose veneration at the monastery can be traced back to its re-foundation by John the Faster at the end of the 11th century. Thus, it was well adapted to Petra's liturgical needs. The addition of the *Encomion* was aimed at serving Petra's renewed ecclesiastical and liturgical life by attaching it to its alleged proto-Byzantine roots.

Constantinople réelle et imaginaire : autour de l'œuvre de Gilbert Dagron
(Travaux et mémoires 22/1), Paris 2018, p. 811-820.

Dimitri Chatzilazarou, *Le centre monumental de Constantinople, espace de synthèse des traditions urbaines gréco-romaines* p. 35

The purpose of this article is the study of the topographical and symbolical synthesis of the monumental center of Constantinople, which surrounded the Sacred Palace. This complex is defined as an urban and symbolical space, the functional synthesis of which was affected by the tradition of the royal cities of the Greco-Roman world, mainly Alexandria, Pergamon and Rome, where monumental centers were located around the royal palaces housing important public functions. We also argue that a symbolic image of the Forum Romanum was intentionally reproduced on the axis of Senate, Augoustaion and Basilica in Constantinople. Especially the iconographic program of the Senate, the Muses in the interior, and Zeus-Jupiter, Athena and Gigantomachy on the façade, projected the ideal of the cultural heritage of Hellenism and echoed similar programs in Athens and Pergamon. This program was directly related to the declaration of emperor Constantius' intention to transform the City into a universal center of philosophy. The dedication of the Cathedral of Constantinople to the Wisdom of God and its topographical and ideological relation to symbols and functions of the Hellenic wisdom and of the cultural tradition of the ancient world in the Senate, the Baths-Gymnasium of Zeuxippus and the Basilica reflected the imperial will to transform Constantinople into the new royal City of the Greco-Roman world and new spiritual metropolis of Hellenic and Christian wisdom.

Jean-Claude Cheynet, *L'aristocratie byzantine des Balkans et Constantinople (x^{e}-xiie siècle)* p. 457

The Balkan aristocracy has attracted less interest than that of Asia Minor. However as early as the 8th century, with the installation of Irene the Athenian on the throne, in the Peloponnesian and Hellas regions—the first regions returned to imperial rule—the great lineages participated in the intrigues of the court of Constantinople. Many of them were related to the Macedonian dynasty. These lineages, quite numerous, maintained their provincial anchorage for a long time and seem to have succeeded in exercising local functions, particularly that of strategos of the Peloponnese. The conquest of Bulgaria, in which these families did not really participate, brought up during the eleventh century the powerful group of "Macedonians" in Adrianople. We do not know exactly how it was formed, but it included mostly "western" families like the Bryennioi or the Batatzai and Eastern elements, like the Tornikioi, transferred to Thrace. They succeeded in being quite regularly at the command of Western tagmata, while the command of the Western Scholes eluded them. The arrival of the Turks strengthened the weight of this group, which received the influx of refugees from Asia Minor, so much so that the Comnenians continued to marry in their principal lineages. The aristocracy of the Balkans has evolved quite differently from that of Anatolia. It did not suffer from the almost permanent war, but it managed to weigh in the political game of the capital as early as possible. It became militarized during the eleventh century due to invasions in the Balkans and transformed into the most powerful pressure group of the empire, especially on the eve of the Fourth Crusade.

Evangelos Chrysos, *New perceptions of imperium and sacerdotium in the letters of Pope Nicholas I to Emperor Michael III* p. 313

The initiative of Constantine the Great to convoke the council of Nicaea and preside over it established a pattern of church and state relations that remained unchallenged until the ninth century. It was Pope Nicholas I who in his correspondence with the East, especially in his letters to Emperor Michael III, claimed such a universal role for himself that left no room for imperial intervention. This change of attitude was based on the false documents of the *Pseudo-Isidorian Decretals* that appeared in Rome at that time. The authorities in Constantinople refused to accept

these new norms and this caused the so-called Photian Schism. It is likely that as a reaction to this substantial canonical novelty Patriarch Photius composed during his second tenure in office the legal code known as *Eisagoge* in an effort to establish a new balance of power between the emperor and the patriarch; but his code was never implemented.

James Crow, *The imagined water supply of Byzantine Constantinople, new approaches* p. 211

This paper reviews recent research on the water supply system outside the city of Constantinople based on a recent project *Engineering the Byzantine water supply*. The study is able to present a new estimate of the length of channels based on satellite data for the long distance system in Thrace and revises and develops new conclusions concerning distribution and provides an up to date bibliography of new publications.

Based on a new reading of the 4th–6th-century law codes set in the topographical context of the known hydraulic infrastructure it is possible to assess the impact of the new system on the city's Thracian hinterland and how public waters were abused for private benefit, including irrigation. A preliminary discussion of possible Roman/Byzantine work surviving in the forest of Belgrad presents a question about scale of the earlier works.

Based on a recent Turkish study it is now possible to estimate a significantly greater number of cisterns (total 209) within the city. Furthermore there is a review of the new study of the main channels with the city which has revised the modelled course of the aqueduct of Hadrian. Through the study of the later Ottoman lines and a better awareness of the topography it is possible to predict a more realistic line for this channel. Based on analogy with documented examples from Thessaloniki it is suggested that at a number of middle Byzantine monastic sites including the Pantocrator and Küçükyalı on the Asiatic side acted as distribution centres across the city. Finally the article stresses the ability of Byzantine engineers to maintain and develop new methods to control and aerate water clear evidence for Byzantine ingenuity as reflected in contemporary Arab accounts.

Denis Feissel, *Tribune et colonnes impériales à l'Augousteion de Constantinople* p. 121

The *Notitia urbis* (ca. 425) describes a little-known monument of Constantinople's *regio secunda* as "a tribune built with porphyry steps." A number of neglected 4th-century sources attest to the existence of this tribune since the reign of Julian at the very least, situating it close to the Palace and the Senate House located on the Augousteion square. Several imperial statues erected on porphyry columns—the first was the one dedicated by Constantine to his mother, Helena—adorned this square. Empress Eudoxia's silver statue, inaugurated in 403, was erected, according to the Church historians, "on an elevated tribune." The dedicatory epigram describes the statue's location as the place where "the emperors tell the law to the city." It is argued that Eudoxia's column and statue stood on the very Porphyry Tribune of the *Notitia urbis*. Another column with a silver statue, of Theodosius I, stood in the vicinity but was dismantled by Justinian who repositioned the column in front of his new Palace, at the Hebdomon. An obscure fragment of John the Lydian's *De mensibus* (IV, 138 Wünsch) about the Augousteion is shown to be a mixture of authentic elements pertaining to Augustean Rome, and Byzantine traditions about Helena's column. To conclude, we attempt to correct a distorted sentence of John the Lydian's *De magistratibus* (III, 70, 4) relating to the Senate House at the Augousteion.

Bernard Flusin & Marina Detoraki, *Les histoires édifiantes et Constantinople* p. 509

The five edifying stories, here edited (or re-edited) and translated, reveal the city of Constantinople both in its topographic reality and in its imagined traditions, which could not be more real for its inhabitants. These texts, centered on the tenth century, include: *The Hagarene of Petrion* (*BHG* 1389b); *The translation of the Holy Blood and the Holy Tile* (*BHG* 788); two stories about Christopher the Protiktor (*BHG* 1448z and appendix); *The reconciliation of the deacon and the dead priest* (*BHG* 1322d). Among their most interesting features are Helen' oikos and Philippikos' monastery in Chrysopolis for the first story; the deposition of the blood of the icon of Beirut at the church of All Saints and of the Holy Tile at the palace for the second; the Holy Well for the second story about Christopher, and the doors of St. Sophia for the last text. The stories show how, in the tenth century, the sanctity of Constantinople evolves: the transfer of famous images and relics in the wake of imperial victories enhances their standing; the figures of Christopher the Protiktor and, to an even greater extent, of Nicetas the Chartoularios (in the *Reconciliation*) reaffirm secular and urban sanctity of the "hidden servants" of God. Such saints now make the City "the abyss of miracles." The genre's relevance and strength in the ninth-tenth-century Constantinople is evidenced by the transmission of ancient collections *(Spiritual Meadow)* and the appearance of new narratives, and by the inclusion of edifying stories into the catechism for the Feast of Orthodoxy.

Jean-Luc Fournet, *Les Égyptiens à la capitale ou Quand la papyrologie s'invite à Constantinople : édition comparée des* P.Cair.Masp. *I 67024-67025* p. 595

This contribution gives the edition of the drafts of a proposal for an imperial rescript that four Egyptians subjected in 551 in Constantinople to the imperial administration in the frame of the rescript procedure to help it to establish the definitive rescript. We are fortunate to have almost three versions of the same text (*P.Cair.Masp.* I 67024 front and back and 67025), written by two different persons, one Egyptian, the other Constantinopolitan. The study of the differences between these versions makes us enter the process of drafting and allows us to apprehend very concretely, through the writings, the lexicon and the wording, the cultural profile of both of them.

Jean Gascou, *Alexandrie chrétienne, légendes et réalités : à propos des confréries* p. 635

According to the Greek *Acts of Saint Mark*, his martyrized corpse was embalmed and put in a grave by members of an Alexandrian brotherhood of Christian laymen. This finding suggests that the *Acts* were written after the late 5th century, when the Egyptian fraternities *(philoponoi, spoudaioi)* flourished. The *Acts of Mark* and other similar writings were probably produced by the brotherhoods themselves, which strongly supported the cults of relics, as a response to contemporary skepticism. We study some aspects of their activities, such as their funerary duties, and treat some related topics in appendices, namely the existence of brotherhoods at Antioch, the identity of Hypatia's murderers according to the Egyptian chronicler John of Nikiou, and the traces of the brotherhoods' criticism among monks and clergy.

Judith Herrin, *Constantinople and the treatment of hostages, refugees and exiles during late antiquity* p. 739

In late antiquity the imperial court of Constantinople was the centre where many hostages, refugees and exiles sought the protection of the Byzantine emperors. Some often spent years in this privileged place of safety. As a tribute to Gilbert Dagron, I have brought together some of their stories in order to analyze the ways in which they were sheltered, educated and employed to further imperial political ambitions. From participating in the ceremonies of the imperial palace, the young, girls as well as boys, and the more elderly all gained a lasting impression of the power and status of the emperor, which they took with them if they got a chance to return to the lands of their birth. The Queen City thus found an additional method of spreading imperial propaganda in distant regions.

Sergey Ivanov, *Constantinople in the oldest versions of the* Life of Basil the Younger p. 169

The versions of the *Life of Basil the Younger* found in the Greek manuscript Athos Dionysiou 107 and in several copies of the *Life*'s Slavic translation date back to early stages of the text's editing. These versions provide a lot of important data that disappeared at a later stage as reflected in the Moscow manuscript, which is reproduced in the Washington edition of 2014. Among other things, Amastrianon and Ox squares can now be located with more precision.

Michel Kaplan, *Les moines de l'Athos et Constantinople des origines à 1204* p. 657

Among the many subjects drawn by the imperial capital were numerous monks, whose presence in the proto-Byzantine era was studied by Gilbert Dagron. This study focuses on the relations between the monks of the Holy Mountain of Athos and Constantinople, from the origins until 1204. The Athos monks visited the capital and the emperor exercised the role of patron of the Mountain's monasteries even before the foundation of the first two imperial monasteries, Lavra and Iviron. The emperor did not visit the Mountain in person, but dispatched officials for the delimitation of land, or monks from the imperial monasteries of Constantinople, such as the Stoudios, to establish rules (972, 1045). The higoumens and monks of the two imperial cenobitic monasteries closely linked to Constantinople often travelled to the capital, as did those from other monasteries. Income in the form of donations, pensions and tax exemptions, came from the capital. Constantinople was the empire's most important market and the monks, despite the prohibitions of 1045, took their boats to the city in order to trade in various goods, most dominant of which was wine. This study attempts to identify the main lines of these relations.

Johannes Koder, *Byzantion wird Konstantinupolis: Anmerkungen zu Ortswahl und Namen* p. 21

This paper aims to discuss briefly two aspects of the foundation and the early history of Constantinople. The first is the emperor's Constantine the Great decision-making regarding the location of his residence in the eastern part of the Roman Empire especially in the place of ancient Byzantium, a decision which obviously depended only to a lesser extent on economic preconditions or on religious reservations, but mainly on political and military considerations.

The second aspect relates to new names, as far as they are not only more or less adorning epithets. It can be demonstrated that since the reign of Heraclius (610–41)—and until now—*Polis* was in the Greek-speaking population an autonomous and unambiguous name without the need for additional explanations. It is also noteworthy that Polis probably did not derive from *Urbs* <*Roma*>, but directly from *Konstantinou-polis*.

Avshalom LANIADO, *L'aristocratie sénatoriale de Constantinople et la préfecture du prétoire d'Orient* p. 409

This article examines the social origins of the holders of the praetorian prefecture of the East, the most distinguished civil office in the early Byzantine Empire, from the reign of Constantius II (337–61) to the reign of Heraclius (610–41). With the notable exception of the reign of Arcadius (395–408), members of the hereditary aristocracy of the senate of Constantinople do not seem to have had a priority in holding this office. On the other hand, emperors often appointed to this position new men of various backgrounds. Evidence for praetorian prefects of the East is scanty after the middle of the 6th century, and this may suggest that the office as well as its holders lost some of their former prestige even before the reign of Heraclius.

Paul MAGDALINO, *Renaissances d'une capitale : l'urbanisme constantinopolitain des dynasties impériales* p. 55

Constantinople originated as a dynastic foundation, and it remained highly susceptible to dynastic change throughout its history. Each of the twelve dynasties that succeeded the house of Constantine from the fourth to the thirteenth century left its distinctive mark on the urban fabric of the imperial capital. This article considers the impact of three dynastic successions: the Theodosian (379–450), the Heraclian (610–711), and the Isaurian (717–802). Theodosius I and his successors oversaw and promoted a massive expansion of Constantinople to the west, which resulted effectively in the creation of a second city. After continued expansion in the fifth and sixth centuries, the Heraclian and Isaurian emperors faced the problem of managing a built environment that was largely surplus to the requirements and the resources of an empire fighting for survival. Heraclius and his descendants concentrated on developing a core area, the liminal zone between the City and the Palace, as an interactive theatre of power. The Isaurians continued to exploit the theatrical potential of the monumental city centre, while coping with a series of natural disasters. Although Constantine V (741–75) apparently did not repair the extensive earthquake damage of 740–1, he repopulated the city after the plague mortality of 747 and reconstructed the aqueduct after a long drought in 766. This enabled his daughter-in-law Eirene (780–802) to invest in a rebuilding programme that included a major palace-cum-commercial complex in the port area where Constantine V must have settled the immigrants from Greece and the islands.

Jean-Pierre MAHÉ, *Joseph, traducteur arménien à Constantinople au Xe siècle* p. 499

Gilbert Dagron noted that translators' bilingualism was often considered, in Constantinople, to be double-talk. Above all, when the interpreter was an Armenian, from a nation deemed as "ambiguous," "underground," and hopelessly heretical. Armenians were not intimated by these complaints. In their view, translators were saints or heroes, that faced the hazards, trials and tribulations of travel in order to enrich the spiritual heritage of their nation. Armenian literature is abound in accounts of their peregrinations. However, there were also sedentary translators, settled in the capital. Under Justinian, Armenians bought "one of the doors of Saint-Sophia," i.e. the merchants' district close to this door, and formed a community that needed managers, including, probably, translators. The Armenian alphabet was created in 405. The first translations in the liberal arts, grammar and philosophy, began in Constantinople in the 570s. One can grasp how the erudite, religious and political concerns closely intertwine, through two colophons of the translator Joseph, "born, taught and aged in Constantinople." The colophons date to 968, and 991, a period when the Byzantine reconquest on the eastern frontier created increasing tension.

Athanasios Markopoulos, *Remarques sur les descriptions des empereurs byzantins dans l'historiographie, de Malalas à Léon le Diacre* p. 299

The self-standing descriptions or portraits of Byzantine emperors, surviving mostly in chronicles, are often characterized by carefully selected vocabulary which embellishes the narrative. The inclusion of such descriptions in literary contexts goes back to the Hellenistic and Roman periods, when numerous works were aimed at producing a detailed study of the physical characteristics of a person. Thus, in the field of historiography, works by Dares, Sisyphos of Cos and Diktys of Crete gained a wide audience, presenting portraits of warriors of the Trojan war that found their way into the *Chronicle* of Malalas and other texts. These specific portraits should not be confused with the so-called *eikonismoi*, which tend to ascribe a timeless quality to the person described for the sake of aesthetic pleasure. Scholars are ambivalent towards the portraits found in Malalas, as it is uncertain if he actually utilized all the authors he mentioned or simply listed them and only employed a few or a single source. If there is such a source behind at least some of Malalas' *eikonismoi*, it continues to elude us. The tenth-century *Chronicle* of Pseudo-Symeon is of particular interest, as it contains portraits of nearly all Byzantine emperors from Constantine the Great (306–37) to Justinian II (685–95/705–11). The present article offers the first critical edition of three such portraits: of Constantine the Great, Tiberios I (578–82) and Herakleios (610–41). These descriptions may be drawn from a version of a lost historical text, called *Epitome* and attributed to Trajan the Patrician. The picture changes dramatically with Leo the Deacon, whose portraits are not typical *eikonismoi*. Instead, the author loosely conforms to the rules of rhetoric in an attempt to add a scalar effect to his descriptions. Rather than offering a single description for a person, Leo provides various references to it, which complement each other without sacrificing any of the text's dramatic essence. This is the great originality of Leo's portraits, which breathed a new life into the technique of *eikonismos*.

Jean-Marie Martin, *Un reflet de Constantinople : Bénévent au* viii*e siècle* p. 757

During the 8th century the Byzantine influence was predominant in the Lombard duchy of Benevento, even before the duke took the title of *princeps* when the Lombard kingdom was conquered by Charlemagne. Its capital had a Mint and struck gold coins since the middle of the 7th century, a Palace in the 8th century. In the first quarter of the 8th century was built a monastery of St-Sophia *ad ponticellum*. At the time of Arichis II (758–87) the arch of Trajan, at the beginning of the *via Traiana*, was called *porta aurea*; Arichis founded the new monastery of St-Sophia, near the Palace, and translated relics in its church. The model of St-Sophia was, on one hand, the royal monastery of Brescia and, on the other, the patriarchal church of Constantinople.

Bernadette Martin-Hisard, *Grégoire Pakourianos, Constantinople et le* typikon *du monastère des Ibères de Pétritzos (déc. 1083). Le texte et le monastère* p. 671

The monastery of Petritzos was founded in Byzantine territory by an Iberian, Domestic of the Schools Grigor Pakurianos. The main, practically the only, source on the monastery is its *Typikon*, established by the founder and produced, by his design, in two versions, Greek and Georgian. Although sometimes contradictory in their present state of transmission, they are equally useful, as shown by the analysis of the Inventory *(brebion)* in the first part of this study. Grigor's monastery, founded for Iberian people, earned him renown in the modern Georgian world, but, as we argue in the second part of this study, this foundation was conceived, in a probable agreement with the first higoumen, Grigor Vaneli, in a spirit of recognition of the *basileis* of Constantinople and of the imperial Church. Grigor Pakurianos, whose origin and career are studied here in detail, did not seem to consider himself as a foreigner in the multinational Byzantine Empire, but rather as "foreign-born."

Sophie Métivier, *Régner et commander : l'interprétation de Syméon le Nouveau Théologien* p. 383

Symeon the New Theologian kept close ties with the aristocratic milieu from which he came. What is more, he refers or alludes to it repeatedly in his writings to describe and to explain the monk's bond with God by comparing it to the emperor's relationship with his archons. We examine these rich and numerous mentions, which are inspired by realia, or even specific events of his time. They reveal that the political and social order of the Byzantine Empire was conceived by Symeon after the model of Pseudo-Dionysius' celestial and ecclesiastical hierarchy. Symeon asserts the position of the aristocracy without calling into question the primacy of the emperor, if only a relative one. Thus, the writings of this spiritual father provide us with a coherent and comprehensive vision of Byzantine power.

Robert Ousterhout, *Aesthetics and politics in the architecture of Justinian* p. 103

The sixth century of Byzantium was a time when emperors could still make grand political statements through architecture, just as their predecessors had done in imperial Rome of the first and second centuries ce. A great building could reflect the character of its patron, something that figures into the architectural *ekphraseis* of both the Roman and Byzantine periods. Cassiodorus expressed it succinctly: "As is the house, so is the inhabitant." In this paper I shall explore several aspects of architectural design in the era of Justinian, and ask how we might read them in a political context. In this, I return to the sorts of issues Gilbert Dagron once addressed in his scholarship, but I do so with greater attention to the architecture itself, concluding with a short foray into inscriptions. I shall focus in particular on three very familiar Constantinopolitan buildings: Anicia Juliana's St. Polyeuktos, and Justinian's two surviving churches, Sts. Sergius and Bacchus and Hagia Sophia.

Vivien Prigent & Vera Tchentsova, *« Quand la terre tremble » : catastrophe naturelle et propagande au xvii[e] siècle* p. 179

In June 1648, a powerful earthquake struck Ottoman Constantinople. News of the disaster reached Moscow through letters and oral reports of various churchmen and merchants. Their testimonies offer an interesting insight on the fate of Byzantine monuments, especially triumphal columns, even if identifying the monuments mentioned is sometime challenging. The discrepancies in the testimonies led us to scrutinize the origins of the information conveyed by these individuals to Moscow, as well as their identity. It was revealed that the individuals were not first-hand witnesses and were all closely linked. Furthermore, some confusions and errors appear deliberate. The witnesses made use of the patriographic memory surrounding the imperial monuments to stress the current weakness of the Ottoman state in order to incite the Tsar to fulfil ancient prophecies. This scheme must be understood in the context of the ongoing Cretan war as Venetians and their supporters inside the Oriental Church were desperately in search of new allies.

Cemal Pulak, *Yenikapı shipwrecks and Byzantine shipbuilding* p. 237

Thirty-seven Byzantine shipwrecks, dating from the 5th to 11th centuries AD, were discovered over the course of the excavation of Constantinople's Theodosian Harbor between 2004 and 2013. Of the 37 wrecks, six merchantmen (round ships) and two galleys (long ships) were documented, raised, and studied by a team of archaeologists from the Institute of Nautical Archaeology (INA) led by the author. Careful study of the Yenikapı Byzantine shipwrecks and 20 other Byzantine-period wrecks excavated in the Mediterranean dating between 4th and 11th centuries, has allowed for a detailed analysis of changes in ship construction in the second half of the 1st millennium AD. In total, 54 shipwrecks were reviewed focusing on three primary hull features: the framing system, the edge-joinery of the hull planking, and the cross-sectional shape of the hull amidships. The study provides insight into the conceptual and technological components of the transition from the earlier shell-based to the later frame-based methods of ship construction, revealing that this transition was not a singular episode but rather one that resulted from the culmination of multiple different changes that occurred during the period of study.

Catherine Saliou, *Construire en capitale : la loi de Zénon sur la construction privée à Constantinople (*CJ *VIII, 10, 12), une relecture* p. 79

Emperor Zeno's law on private building in Constantinople is a unique source on urban law and a milestone in the history of Constantinople's urban space. The aim of this paper is to highlight its richness and interest by proposing a new overall interpretation, with a complete French translation based on a revised version of Krüger's edition in the *Justinian Code*.

Jonathan Shepard, *"Constantinople imaginaire" in northern and western eyes: the uses of imperial imagery to twelfth-century outsiders* p. 773

Constantinople, with all its imperial connotations, was among the subjects upon which Gilbert Dagron shone brilliant light. So, too, were the ways in which its antique monuments played upon the imagination of its medieval inhabitants. This paper considers a variant of these themes: the repercussions of the City and the cults and visual imagery associable with it upon external societies, at the level of established regimes and also of individuals and families who were intent on legitimising their status. Neither the fact of their doing so, nor the reasons, are especially obscure or indeed surprising. More noteworthy is the occurrence of the phenomenon in the twelfth century in widely-dispersed regions. Instances range from the papacy of Innocent II and his self-presentation in the apse mosaic in Santa Maria di Trastevere in Rome to Prince Andrei Bogoliubsky's devising of cults of icons and new feast-days in Vladimir-on-Kliazma. Attention is also drawn to the resonance of Byzantine, if not specifically imperial, imagery amongst ambitious Saxon and Danish notables. While this is in part attributable to the vigorous diplomacy conducted by Komnenian emperors and to their promotion of cults and icon-bearing processions in Constantinople, it also reflects upon their inability to prevent dilution of "the imperial brand" in emergent power-centres.

Dieter Simon, *Eustathios Rhomaios, kaiserlicher Richter im Konstantinopel des XI. Jahrhunderts und das Gesetz* p. 481

This article addresses the question of how the imperial court managed to deal with the great mass of valid legal rules which circulated in the eleventh century. The answer seems to lie in the unusual freedom which the judges arrogated to themselves in their treatment of the law. Despite their constant emphasis on the strict constraint enforced by the law of the *Basilica*, their method of interpretation and their mode of argumentation permitted them to find a rationale for every decision which corresponded to their sense of justice—and that with or without the backing of the law.

Constantin Zuckerman, *Campaign blueprints of an emperor who never campaigned in person: Constantine VII's treatises on imperial expeditions and* De cer. *II, 45 (with special regard to the theme of Charpezikion)* p. 341

The treatises on imperial military expeditions, re-edited by John Haldon as (A), (B), and (C), were copied in the same Leipzig manuscript as the *Book of ceremonies*, ahead of the major compendium. This little corpus represents the only element in the *Lipsiensis* external to the *Book of ceremonies*. Haldon presents (A), a short prefatory list of camps, as a series of Constantine VII's stray notes haphazardly put together by a later editor, rather than a structured text. He attributes (B) to Leo Katakylas, a senior officer of Basil I. I argue that the entire corpus was authored by Constantine, and that its three parts, together, deliver his vision of emperor's military function. Chapter II, 45 of the *Book of ceremonies* contains a collection of documents related to Emperor Constantine VII's failed Cretan campaign of 949. This dossier was composed by imperial command and with the emperor's authorial input, but it did not take a coherent form. The campaign organization was a mess and the documentary file was abandoned by its imperial sponsor after he learned of the expedition's failure. This file will be exploited as a monument of Constantine VII's military thought, or rather its limits, as well as for its data, confused yet fairly complete, on the manpower employed in the campaign. Chapter II, 45 also provides insights into the empire's military structures. Thus, a close examination of data for Charpezikion, traditionally a paradigm for studying the *armeniaka themata*, throws a new light on this crucial tenth-century phenomenon. The number of Charpezikion troops was not reduced to the extent many believe. The question of their origin is also posed anew to gain a revised view of Byzantium's moving eastern frontier and the transformation of the *themata*-system in the mid-tenth century.

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